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PROVISIONAL VERBATIM RECORD OF THE FIFTY-FIFTH MEETING

Held at Headquarters, New York,
on Tuesday, 4 December 1990, at 3 p.m.

President:	Mr. de MARCO	(Malta)
later:	Mr. SILOVIC (Vice-President)	(Yugoslavia)
later:	Mr. de MARCO (President)	(Malta)
later:	Mr. SILOVIC (Vice-President)	(Yugoslavia)
later:	Mr. de MARCO (President)	(Malta)

- Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: Letters from Papua New Guinea [18] (continued)

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90-64400/A 3671V (E)

- Policies of Apartheid of the Government of South Africa [34]

  (a) Report of the Special Committee against Apartheid

  (b) Report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa

  (c) Report of the Commission against Apartheid in Sports

  (d) Reports of the Secretary-General

  (e) Report of the Special Political Committee

The meeting was called to order at 3.20 p.m.

AGENDA ITEM 18 (continued)

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES: LETTERS FROM PAPUA NEW GUINEA (A/45/723, A/45/724)

The PRESIDENT: This afternoon the General Assembly is resuming its consideration of agenda item 18 in order to consider a request by the Permanent Representative of Papua New Guinea.

Members will recall that at its 44th plenary meeting, on 20 November, I informed the Assembly that, by letters dated 12 and 15 November 1990 (A/45/723 and A/45/724) addressed to me, the Permanent Representative of Papua New Guinea had requested that Papua New Guinea be admitted to membership of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

After consultations with regional groups I have nominated Papua New Guinea as a member of the Special Committee on the Situation with regard to the Implementation on the Declaration on the Granting of Independence to Colonial Countries and Peoples.

May I take it that the General Assembly takes note of this nomination?

It was so decided.

The PRESIDENT: We have thus concluded our consideration of agenda item 18.

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AGENDA ITEM 34

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

(a) REPORT OF THE SPECIAL COMMITTEE AGAINST APARTHEID (A/45/22)

(b) REPORT OF THE INTERGOVERNMENTAL GROUP TO MONITOR THE SUPPLY AND SHIPPING OF OIL AND PETROLEUM PRODUCTS TO SOUTH AFRICA (A/45/43)

(c) REPORT OF THE COMMISSION AGAINST APARTHEID IN SPORTS (A/45/45)

(d) REPORTS OF THE SECRETARY-GENERAL (A/45/162, A/45/593, A/45/550, A/45/637, A/45/670)

(e) REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/45/815)

The PRESIDENT: I should like, first, to draw the attention of the General Assembly to the report of the Special Political Committee (A/45/815).

May I take it that the General Assembly takes note of that report?

It was so decided.

The PRESIDENT: I should like to propose that the list of speakers on item 34 be closed tomorrow at 12 noon.

It was so decided.

The PRESIDENT: I therefore request those representatives wishing to participate in the debate to add their names to the list as soon as possible.

I first call on the Chairman of the Special Committee against Apartheid.

Mr. GAMBARI (Nigeria), Chairman of the Special Committee against Apartheid: South Africa is truly at a historic crossroads. One path leads to the process of abandoning a system that is repugnant to the whole world; the other is the one that will be taken by those who seek to prolong the agony of a bankrupt system. The United Nations has clearly chosen which path is preferable. That is why, a year ago, the General Assembly recorded a major victory in its pursuit of human dignity, justice and freedom when it adopted - for the first time in the history of its existence, by consensus - a far-reaching Declaration on the policies of apartheid of the South African régime. Moreover, as recently as September this

(Mr. Gambari, Chairman, Special Committee against Apartheid)

same body adopted, also by consensus, a resolution based on the report of the Secretary-General on the progress made inside South Africa - the report that had been called for in the Declaration. This reaffirmed the solidarity of members of the international community against the evils of apartheid.

The historic importance of the Declaration - especially of its content but also of its general acceptability and timing - has been very well recognized. The Declaration no doubt convinced the authorities in Pretoria that apartheid could no longer be sustained, nor merely reformed, and that its maintenance could only lead to greater isolation from the international community and the subsequent stagnation of the country's economy. No doubt the heroic and persistent resistance of the overwhelming majority of the South African people spurred the South African authorities to initiate positive steps towards the eradication of apartheid.

I speak on behalf of the United Nations Special Committee and on behalf of my own delegation in re-emphasizing that, although some positive developments have taken place between the régime and the African National Congress (ANC) to pave the way for "profound and irreversible change" - others are ongoing - the Declaration has yet to be implemented in its entirety.

It is the considered view of my delegation that the racist régime has not yet shown enough readiness to deal with at least two of the fundamental principles in the Declaration. These concern the right to universal equal suffrage under a non-racial roll of voters and the creation of an economic order that would promote the well-being of all South Africans. Consequently, to ensure speedy eradication of apartheid in South Africa the international community must remain seized of efforts to maintain existing measures and must criticize strongly those countries that have unilaterally departed from the international consensus.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

It is the considered view of my delegation that the continued existence of the basic pillars of apartheid - pillars such as the repressive security regulations, the Bantustan homelands and the persistence of violence, often supported and encouraged by the security forces, as well as by right-wing white elements opposed to the democratic transformation of South Africa - makes it rather difficult to persuade us that substantial progress warranting the relaxation of existing measures has indeed been made.

While members of the international community have called upon the South Africans to come together and negotiate an end to apartheid, the racist authorities were called upon in the Declaration to ensure the adoption of a minimum of measures for the purpose not only of creating a climate conducive to negotiations but also of providing guidelines for the process of negotiations. The measures called for include agreement between the parties regarding the mechanism of drawing up a new constitution and the role to be played by the international community in ensuring a successful transition to a non-racial, democratic South Africa.

To bring this about, members of the international community decided to adhere to a programme of action and, among other things,

> "To ensure that the international community does not relax existing measures aimed at encouraging the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of this Declaration" (resolution S-16/1, para. 9 (d)).

The emphasis here is on eight key words: "bearing in mind the objectives of this Declaration". The Special Committee deeply believes that these words introduce an objective criterion to assess whether or not there is clear evidence of profound and irreversible changes.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

The Declaration, finally, introduced a special monitoring mechanism for assessing progress in its implementation. This monitoring was to be carried out by the General Assembly on the basis of a report of the Secretary-General. Representatives may remember that monitoring first took place last September and that, after deliberation on the Secretary-General's report, resolution 44/244 of 17 September 1990 was adopted by consensus. That resolution, in essence, reaffirmed the firm support that had been expressed and the position that had been taken by the Assembly in December of last year.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

The Special Committee against Apartheid, in discharging its own responsibilities, has also been constantly monitoring developments in South Africa and in the international response thereto. Our annual report, the details of which will be introduced this afternoon by the Rapporteur, gives our analysis of developments inside South Africa since September 1989 and describes the political, institutional, social and economic situations which have prevailed in the country since the end of last October.

The report also reviews the international response to these developments, drawing attention to the economic and other relations that a number of States have initiated recently with South Africa, underscoring cases which, in our view, have been clear departures from the international consensus achieved last year regarding the non-relaxation of measures.

We have also highlighted the international action against apartheid by Governments, by organizations and by individuals, and, in this context, we have described the role and activities of the Special Committee.

The Special Committee has come to the certain conclusion, following the adoption of the 1989 Declaration, the report of the Secretary-General last July and subsequent adoption last September, also by consensus, of resolution 44/244, that a process of change has been set in motion in South Africa, especially since last February. The South African authorities have declared their intention to break away from the past by stating, since the beginning of the year, their desire to eradicate apartheid and commence negotiations for a new Constitution which will bring about a non-racial, democratic South Africa.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

Representatives here may recall that, since President De Klerk announced the lifting of bans and restrictions on political organizations and persons, some political prisoners, including the Deputy President of the African National Congress of South Africa (ANC), have been released. The Pretoria régime has also been engaged in pre-negotiation talks with the ANC, which have led to agreements, in meetings in Capetown as well as in Pretoria.

These talks were aimed at removing obstacles to negotiations, and, although the Declaration had called on Pretoria to take the five minimum steps necessary to create this climate, the ANC, in a very constructive effort, contributed enormously to reaching some subsequent agreements involving the promised phased release of political prisoners and the return of exiles. Also, last August, the ANC agreed to suspend armed activities.

For its part, Pretoria finally lifted the state of emergency from the whole country, and promised to review legislation such as the Internal Security Act, designed to circumscribe political activity, and did repeal the Reservation of Separate Amenities Act. It has also declared its intention to repeal the Land and Group Areas Acts early in 1991.

There is no doubt that the South African authorities have indeed taken a number of positive steps, as required in the Declaration. Nevertheless, these fall far short of the minimum measures necessary to create a climate for negotiations: for instance, most political prisoners are, up to this moment, in jail; the bulk of the exiles are still outside the country; the Internal Security Act and other repressive laws have not yet been touched; and, although political executions have been suspended since last February, political trials are continuing and new cases are being brought. Also, troops are being moved into and out of the townships.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

Our assessment in the preceding paragraph should not be misconstrued as a plaudit for the De Klerk régime. Indeed, the Special Committee firmly believes that the Pretoria régime has not fully translated its declared intentions into action, and in most cases has remained largely unmoved. The prevailing violence is a case in point. Similarly, measures to establish, fully, free political activity have not been undertaken, and several agreements reached with the ANC have not been fully implemented while others have been given new interpretations, resulting in contradictory actions. For example, although the authorities have asked the Pan Africanist Congress of Azania (PAC) to participate im the talks, the external leadership of the organization was recently refused entry to attend the funeral of its President, Zephania Mothopeng; in contrast, only quite recently, the PAC's Foreign Secretary was promised permission to enter South Africa for a few days to attend the Congress of the organization, scheduled for 8 December in Johannesburg. In addition, the Judiciary Commissions which have been charged with investigating the activities of the Civil Co-operation Bureau and the massacre at Sebokeng have resulted, respectively, in a whitewash and in no prosecutions brought. Is this the way to establish free political activity? Is this the way to improve the climate for negotiations?

In the meantime, the violence, which appeared to have subsided in the last few weeks, has again boiled up, claiming hundreds of victims. In October alone, 280 people were killed and 3,146 were injured. What has the Government done to find the perpetrators of this violence? Why is the third force, mentioned by Mr. Mandela as being behind so many incidents of organized massacre, not brought to book? The Special Committee finds it extremely disquieting to note that the declared commitment of the new leadership in Pretoria now seriously lacks

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credibility as a result of its inability, as well as its reluctance, to control those forces which draw their power from existing apartheid structures and oppose the current process of political change.

It is also disturbing to see that the leadership intends to remain in the driver's seat during the negotiating process. What confidence can it establish in the process towards negotiations if the National Party plans to continue ruling the country alone, steer future negotiations as it wills, and be a negotiating party at the same time?

The process of change that has started in South Africa is complex and the future is fraught with dangers. Despite the good will which the ANC has demonstrated, we are still far from the moment in which substantive negotiations can start in an atmosphere, free of violence, which would guarantee free political activity. Under these circumstances, the Special Committee firmly believes that it is not only premature, but also totally unreasonable and counterproductive, for some member States of the international community to rush into relaxing existing measures imposed on apartheid South Africa or into establishing new trade or other relations with that country. Consequently, we call on the international community not to disarm itself of its only instrument of pressure at this very early stage in the negotiating process.

The Special Committee intends to continue monitoring closely the developments in South Africa and, within its capabilities, to promote the peaceful process that has started towards the building of a new, democratic, non-racial society. As the focal point within the United Nations on matters related to apartheid, we have the special responsibility of safeguarding the consensus that was achieved in the past

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year, first at the forty-fourth session, in November, later at the sixteenth special session in December, and again at the resumed forty-fourth session in September 1990.

Indeed, we have a special responsibility for promoting the objectives of the consensus Declaration and, in this context, we will complement the efforts of the Secretary-General, which have been widely appreciated.

The months ahead are not only critical; they are crucial. As the Special Committee monitors developments, we plan to issue an interim report by the middle of spring in which we expect to analyse the developments unfolding between now and the end of next March.

We also intend to continue to extend our co-operation with the Advisory Committee of the United Nations Educational and Training Programme for Southern Africa, and its Committee of Trustees also, in trying to assess the educational and legal defence needs of the majority of the people of South Africa.

Anticipating full participation by South African artists, we expect to consider, early next year, the appropriate stand for members of the international community on the issue of cultural and academic links with South Africa.

We shall also continue to consult with parliamentarians in a number of regions of the world on the issue of international pressure designed to contribute to the speedy end of apartheid.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

In concluding, in this transitional period we see on the horizon the promise of an early end to apartheid. The Special Committee, therefore, intends to act with more resoluteness, effectiveness and the necessary dynamism with regard to developments in South Africa in a manner that serves the principles to which we have been adhering over the last few decades, bearing always in mind the goals and interests of the South African people. In this effort, we want to have all States Members of the United Nations on our side in our collective efforts to rid the world of the canker-worm that is apartheid. How will international solidarity against apartheid manifest itself in the coming months? Should we allow the promising process that is going on inside South Africa to stall as a result of our lack of cohesion in support of measures that will ensure the speedy end of apartheid? Should we allow the gains of the past few months to slip away because of our inability to uphold the consensus on maintaining pressures on the Pretoria régime? We submit that the process of positive change still at its fragile stage should be nurtured by the continuing good will and collective resolve of the international community to rid the world for ever of this instance of man's inhumanity to man. This is the only way we can all find solace with our posterity. That is our conclusion and this is our demand. We feel confident that the international community will concur.

The PRESIDENT: I call on the Rapporteur of the Special Committee against Apartheid, to introduce the Special Committee's report.

Mr. GUPTA (India) Rapporteur of the Special Committee against Apartheid: It is my privilege to introduce the report of the Special Committee against Apartheid (A/45/22) for the Assembly's consideration. I should like to

(Mr. Gupta, Rapporteur, Special Committee against Apartheid)

outline the main sections of the report together with the conclusions and recommendations contained therein.

Part one of the report is divided into six chapters, each one of which examines particular aspects of the situation in South Africa.

Chapter II describes the situation in South Africa and focuses on the progress made in the implementation of the measures required for creating a climate conducive to negotiations, as set out in the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa. The same chapter also outlines various obstacles to free political activity and provides factual information on the nature of the violence prevailing in South Africa today.

An important item within this chapter is the discussion on the institutional structures of apartheid. This is a new chapter in the Special Committee's report and provides specific data to highlight the glaring inequalities created by the apartheid system and the formidable task that will confront a post-apartheid government in addressing these inequalities. This chapter also contains data and factual information on the state of the South African economy.

Chapter III of the report examines the external relations of South Africa by focusing on its trade and transport relations; on the provision of loans and credit; on the process of disinvestment by transnational corporations, and on South African investment abroad as well as South Africa's military relations with other countries. This chapter assesses the impact of sanctions on the South African economy by providing recent data on the subject. It also examines the effects of the policies of destabilization of South Africa on its neighbouring countries.

Chapter IV of the report, entitled "International action against apartheid", gives details of the actions taken by the United Nations, Governments and intergovernmental organizations in furthering the objective of the eradication of

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apartheid. It also focuses on the activities of non-governmental and other organizations concerning the people's sanctions and the cultural and sports isolation of South Africa.

Chapter V is a detailed review of the work of the Special Committee. It focuses, in particular, on the activities undertaken by the Special Committee and its efforts to monitor the compliance, by all concerned, with United Nations resolutions on apartheid. An addendum to the report is being issued which will provide additional information.

Chapter VI, which is the most important chapter of the report, contains conclusions and recommendations which, in essence, provide the framework for the strategy for the eradication of apartheid and in that context outlines the future programme of work of the Special Committee.

As in previous years, part two contains a report on recent developments in relations between Israel and South Africa. It examines their military and economic relations and in that context makes a number of recommendations.

In its report the Special Committee concludes that South Africa has entered a process of change that may lead to the end of apartheid through negotiations. Indeed, there has been a break from the past. However, it cautions that although significant measures in the right direction have been introduced, the changes brought about by those measures are far from being fundamental. In particular, most of the pillars of apartheid remain intact, free political activity hardly exists, many political prisoners remain incarcerated and negotiations on a new constitution are yet to take place. The authorities in Pretoria have thus failed to fully implement all the conditions necessary for the creation of a climate conducive to negotiations as set out in the United Nations Declaration. In this context, the Special Committee expresses its extreme concern at the wave of

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violence prevailing in South Africa, resulting primarily from apartheid policies and practices and the activities of the groups associated with the apartheid structures, the security forces and the extreme right. It warns that this violence is threatening to delay, if not derail, the fragile process towards change. The Special Committee reiterates, therefore, its position that the authorities in Pretoria have the primary responsibility to bring this violence to an end and to ensure that the security forces carry out their duties fairly and impartially.

The report highlights the importance of the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa, which was adopted by consensus at the sixteenth special session of the General Assembly held in December last year. In that context, it concludes that continued efforts are necessary to ensure the realization of the ultimate objective, namely, the eradication of apartheid. It expresses the hope that the current talks between the South African authorities and the African National Congress will be broadened to include other interested parties and lead to the removal of obstacles to negotiations, and the adoption of a new constitution that will guarantee the establishment of a united, non-racial and democratic society in South Africa.

The Special Committee concludes that, under the present circumstances in South Africa, and taking into account the fact that substantive negotiations have not yet begun, it is evident that the international community needs to maintain its vigilance and its pressure in accordance with the Programme of Action in the Declaration. Pressure should, therefore, be maintained on South Africa as long as there is no clear evidence of profound and irreversible change in the country. The Special Committee concludes that the pressure of sanctions should continue to hasten South Africa's move towards real negotiations and the subsequent adoption of a new Constitution.

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The report notes that, with few exceptions, the international consensus on maintaining pressure on South Africa has been maintained. It expresses concern, however, at the emergence of certain disturbing trends and instances of departures from the consensus which is reflected in the United Nations Declaration and in resolution 44/244 of 17 September 1990.

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The report also expresses concern at the financial relief provided to South Africa, particularly by the trade credits offered through official trade credit agencies of certain countries. It further notes that the maintenance of non-equity ties by transnational corporations disinvesting from South Africa allows the continuation of the flow of technology to South Africa. In that context, it highlights the campaign for a fair disinvestment procedure organized by trade unions in South Africa.

The report adds that financial sanctions have imposed serious constraints on the South African economy, primarily through the dearth of loans and capital for investment. However, it reiterates that the rather weak co-ordination in the application of sanctions and the different approaches to their implementation among Governments, have allowed loopholes that can and have been used to evade sanctions and reduce their effectiveness. In the words of the Secretary-General's report on this matter, which is also before us:

"The monitoring process would be greatly enhanced if all States adopted enforcement mechanisms to prevent the violations of those measures."

(A/45/670, para. 106)

The report concludes that the continued violations of the mandatory arms embargo as well as the oil embargo have tended to weaken the effect of sanctions in areas where South Africa is quite vulnerable. It therefore regrets that the United Nations mechanisms dealing with the mandatory arms embargo have not been as effectively used in the case of South Africa as they have been in the other cases.

The Special Committee also regards as crucial that the international community undertake positive measures to assist the anti-apartheid forces of the country in general and the return of exiles and the reintegration of former political prisoners in particular. In addition, substantial efforts will also be needed to

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erase the pernicious effects of apartheid in South Africa and in neighbouring States.

The report that is before the Assembly is the product of intense study and debate by members of the Special Committee. It is the hope of the Special Committee that it will provide the appropriate context for the debate on apartheid to take place.

The PRESIDENT: I now call on the representative of the United Republic of Tanzania, Chairman of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa.

Mr. NYAKYI (United Republic of Tanzania), Chairman of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa: I speak on behalf of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa and my purpose is to bring to the attention of the General Assembly the scope of the work that has been done by the Group during the past year.

The year 1990 has brought about significant achievements in the struggle against apartheid. The year began with the international community focusing attention at efforts aimed at finding a negotiated solution to the crisis in South Africa. A landmark Declaration on Apartheid and its Destructive Consequences in Southern Africa was adopted by the General Assembly in December last year. A number of measures implemented and promised by the Pretoria authorities, as well as the preparatory talks between the African National Council and the Pretoria régime, give rise to hopes for a negotiated settlement of the conflict.

Despite this optimism, a climate conducive to substantive negotiations has still to be established. The five pre-conditions laid down in the Declaration have

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not been satisfied. When the Secretary-General reported on the implementation of the Declaration last July, only one condition had been met. With the lifting of the state of emergency in Natal in September, two pre-conditions have now been met. Clearly, pressure from outside remains essential to help move the process forward. As the Declaration makes clear, sanctions must be maintained until profound and irreversible changes have taken place in that country. In this respect, the Intergovernmental Group has taken every possible measure to make the oil embargo more effective.

This is the Group's fourth annual report. I will leave the details to Mr. Sverre Johansen, Deputy Permanent Representative of Norway and our Rapporteur, who will be speaking later in the debate to introduce the report. In these brief remarks I intend to confine myself to the areas of concern which have continued to preoccupy the attention of the Group as it seeks to execute its mandate.

As in previous years, the report is an endeavour to show what information was available to the Group during the past year and how the Group used it to advance its work. The Group has continued to be guided by the principles which it enunciated at the commencement of its work. As a matter of the highest priority, the Group paid particular attention to the question of co-operation with Governments. We have always emphasized that the primary objective of our work is not to criticize or condemn any State but to prevent South Africa from getting access to oil and petroleum products. Whether through correspondence or in discussions with Governments, we have kept this requirement constantly in view.

The Group expects reciprocity from Governments. The fact that the embargo is a voluntary one does not exonerate Governments from their responsibility to co-operate in its enforcement. Indeed, the fact of its being a voluntary embargo

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presumes a readiness on the part of Governments to co-operate. Unfortunately, this has not been the case in practice on the part of several Governments. Lack of understanding on how all States could be involved in possible violations of the embargo may explain the failure to respond on the part of some Governments and particularly those of third-world countries. This cannot be the case for the many shipping, trading and oil-handling countries which have failed to respond to the Group's communications.

Last year, we expanded our work to include the investigation of calls by ships capable of carrying oil and petroleum products at South African ports. As indicated in the Group's interim report to the forty-fourth session of the General Assembly released in August, there is reason to believe that a number of these vessels - personally I believe a majority of them - are involved in violations of the embargo. The consequences of being caught compel both the violators and their collaborators to do all they can to conceal evidence and to cover up their activities. That is why evidence to prove the many cases of alleged violations reported to the Group has been so difficult to put together. Despite the Group's serious misgivings about the kind of evidence produced to prove non-involvement in a number of cases, it has continued to give the benefit of the doubt to the Governments concerned.

As we gain more experience, we hope the Intergovernmental Group will find ways of improving its monitoring in this area of its mandate.

The Intergovernmental Group was also able to utilize the expertise of distinguished academics in the United States to draw up a model law on the oil embargo against South Africa. To be effective, any sanctions, not just the oil embargo, need the support of Governments and of the international community. The

(Mr. Bergh-Johansen, Rapporteur, Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa)

first and foremost requirement must, therefore, be Governments' commitment, political will and readiness to co-operate. This must be backed up by a well-thought-out and researched action plan. The embargo covers a sensitive item in a very complex industry. Monitoring its implementation by our Group has, therefore, required much detailed work, volumes of raw data, intricate analysis, voluminous correspondence and long hours of case work deliberations.

(Mr. Bergh-Johansen, Rapporteur, Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa)

It is a highly technical and practical activity and procedures must be worked out and improved as work progresses. In this endeavour valuable experience has been gained by the Intergovernmental Group, resulting in an improvement of our ability to report accurately on the question of the supply of oil and petroleum products to South Africa.

There is no doubt that sanctions have had their effect on apartheid. This has now been admitted even by the apartheid régime itself. The meeting of the Intergovernmental Group, which adopted this report three weeks ago, heard from the two South African liberation movements - the African National Congress of South Africa (ANC) and the Pan Africanist Congress of Azania - of the critical contribution of sanctions in bringing about this past year's significant changes in South Africa. Mr. Mandela himself, on many occasions, and even on one occasion from this very rostrum, paid a tribute to the international community for its successful sanctions pressure.

But we should not delude ourselves about the effectiveness of the oil embargo, and the Intergovernmental Group is very conscious of this reality. For all our efforts, the South African régime is still able to import all its oil requirements. It may be paying premium prices for them, but it still gets them, which is our major concern. In the wake of the Iraq-Kuwait crisis, many oil-importing States have had to raise the consumer prices of oil to pay for the increase in their oil-import bills. Available information shows that the régime has not been compelled to raise its consumer prices. This would seem to confirm reports that the régime has stockpiled large reserves of oil.

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The paying of premium prices is one price the régime has had to pay to fight the embargo. There are disturbing reports that the régime may also have been successful in organizing the exchange of arms for oil. If these reports are true, the exchange would be most reprehensible conduct on the part of the countries involved. The transaction would be a serious breach not only of the oil embargo but also of the arms embargo. The Group will investigate these reports and the Security Council should also address itself to this disturbing allegation.

It was sanctions that brought the National Party in South Africa to the realization that apartheid would have to go and that a settlement would have to be negotiated. We are now at the beginning of this arduous and difficult stage in South Africa's transition from apartheid to a truly democratic, united and non-racial society. So as to help stay the course, the Intergovernmental Group feels that the international community should maintain sanctions and strengthen its solidarity with our brothers and sisters in South Africa, as Nelson Mandela requested from this rostrum. The struggle against apartheid could be entering a decisive stage. For all anti-apartheid forces it is time therefore to close, not to break, ranks.

In the view of the Group, the problem lies mainly in the fact that the embargo is not backed by an enforceable régime of measures at either the international or the national level. That is why the Group spent so much of its time this past year developing the draft model law to which I have already referred and which we shall commend to the Assembly later in the debate. That is also why acceptance by the Security Council of the call to back up the voluntary embargo with a régime of mandatory sanctions remains a priority target for the Group.

(Mr. Bergh-Johansen, Rapporteur, Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa)

I would like to conclude my statement with an appeal to all States to strengthen their co-operation with the Intergovernmental Group by investigating cases of alleged violations of the oil embargo and alleged calls at South African ports. In particular we hope that those Governments that have so far failed to respond to our communications will be able to do so in the future.

In this connection I should explain that, while we continue to ask for formal replies to our communications, we have found dialogue with Governments very useful in clarifying complex cases. Over the past year we have engaged in dialogue with a number of Governments over such cases. Most of the initiatives were at our request, but we also met with a number of delegations at their request. In this connection I would like to single out the Islamic Republic of Iran, with which at their request I held two discussions which proved very fruitful. They have also twice participated in our meetings in an observer capacity. We welcome more contacts of this nature, including requests for participation in our meetings in an observer capacity.

I would also like to commend to States the draft model law, which is contained in annex I to the report. It represents an effort by the Intergovernmental Group to assist Governments in making the oil embargo effective.*

This draft model law provides the basis for ensuring the tightening of the oil embargo against South Africa and brings a clear message to violators that penalties will be imposed on them for their continuing disregard of the international community's demands not to oil the apartheid machine, which must be eradicated without any further delay.

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* Mr. Silovic (Yugoslavia), Vice-President, took the Chair.

(Mr. Bergh-Johansen, Rapporteur, Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa)

Finally, I would like to draw the attention of the Assembly to the Group's recommendations in the report, which, as I indicated earlier, will be introduced to the Assembly by our Rapporteur. We stongly recommend their endorsement by the Assembly.

We call on oil-exporting, shipping and handling States, as well as all other States directly or indirectly involved in the oil trade, to take action to implement the oil embargo against South Africa.

The PRESIDENT: I call on the representative of Norway, who, in his capacity as Rapporteur of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, will introduce its report.

Mr. BERGH-JOHANSEN (Norway), Rapporteur of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa: I have the honour to introduce the annual report (A/45/43) of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa. This is the fourth year that the Intergovernmental Group has produced such a report.

This year's report contains five sections, covering different aspects of the oil embargo. The introduction, in chapter I, notes recent developments in South Africa. While important steps have been taken by the South African Government, including the release of Nelson Mandela and other political prisoners and the commencement of a process that it is hoped will lead to negotiations and the establishment of a united, non-racial, democratic society in South Africa, the Intergovernmental Group is still of the view - and I believe the international

(Mr. Bergh-Johansen, Rapporteur, Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa)

community shares this view - that the pressure on South Africa should be maintained. We believe that the oil embargo must be observed until there is clear evidence that profound and irreversible changes have taken place in South Africa.

While the oil embargo, unfortunately, is not fully implemented, its impact is felt by the South African Government, which has to pay approximately $2 billion a year extra in order to circumvent the embargo. The Intergovernmental Group therefore still urges Member States fully to implement the United Nations resolutions calling for the cessation of the supply and shipping of oil and petroleum products to South Africa.

(Mr. Bergh-Johansen, Rapporteur, Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa)

Ever since its inception the Intergovernmental Group has called on States to adopt legislation or comparable measures to implement the voluntary oil embargo against South Africa. So far only a limited number of States have passed detailed statutory acts enforcing the embargo. As a matter of fact, the embargo has often taken the form of political statements affirming the prohibition of the supply of oil and petroleum products to South Africa. While the Intergovernmental Group appreciates the intention of such declarations, it believes that since the oil trade involves a technical and complex network of activities this trade cannot be dealt with by declarations and statements. Only effective legislation or comparable measures would close the loopholes existing in the present set-up. In this context, the Assembly will find in annex I to the report a draft model law which the Group commends to States for their consideration.

It is hoped that the general principles of this proposed model law will be adopted within the context and framework of their own legal practices.

The Intergovernmental Group depends on the co-operation of Member States. We have noticed in the past year that the number of States that have responded to or contacted the Intergovernmental Group has increased. We hope that, through such contacts and exchanges of views with Member States, the embargo will be scrupulously implemented.

During the past two years the Intergovernmental Group has established a survey of ships capable of carrying oil and petroleum products which have called at South African ports during the preceding year. This new approach, which deals mainly with smaller ships capable of carrying petroleum products, strengthens the monitoring function of the Group. We appeal to Governments to co-operate with the

(Mr. Bergh-Johansen, Rapporteur, Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa)

Group in its efforts to determine the nature of these calls in order to find out whether the oil embargo has been violated. The survey of unclarified tanker calls at South African ports reported in 1990 is contained in annex IV.

The Intergovernmental Group deals in chapter IV of the report with the question of alleged violations of the oil embargo. This is the crux of the Group's work since its inception.

There are two annexes relating to this chapter. Ships and companies reported to have been involved in supplying oil to South Africa between 1987 and 1989 are contained in annex II, while annex III contains the summary of cases of alleged violations reported in 1990.

At this point I should like to reiterate something that has been stated in the report. The listing of ships in the annexes that I have mentioned in no way implies a charge against or a passing of judgement on the individual States concerned or companies under their jurisdiction. The Intergovernmental Group is still verifying the information received, and it continues to depend on the co-operation extended to it by Governments.

I should also like to state that the Intergovernmental Group, in the conclusions in its report, welcomes encouraging developments that have taken place in South Africa in 1990. However, it considers that the Declaration on Apartheid and its Destructive Consequences on Southern Africa, adopted in December 1989, is still the basis of international efforts to end apartheid. In this regard, the Group reaffirms that the oil embargo remains one of the most effective measures that can be applied to end apartheid by peaceful means.

(Mr. Bergh-Johansen, Rapporteur, Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa)

In spite of recent positive developments, the Intergovernmental Group feels that the Security Council, by invoking Chapter VII of the United Nations Charter, would ensure the use of the most effective method of stopping the flow of oil to South Africa. In the meantime, Member States are invited to take measures, including consideration of the draft model law. The Group also calls for the co-operation of all States, particularly in investigating cases of alleged violation or of port calls.

Furthermore, Governments are asked to discourage ships in their registry from carrying oil to South Africa.

In conclusion, I should like to call on the General Assembly to endorse the activities of the Intergovernmental Group and to support the recommendations contained in its report.

The PRESIDENT: I call on the representative of Barbados, Rapporteur of the Commission against Apartheid in Sports, to introduce the Commission's report.

Mr. MAYCOCK (Barbados), Rapporteur of the Commission against Apartheid in Sports: I have the honour to present to the General Assembly the annual report (A/45/45) of the Commission against Apartheid in Sports.

The adoption by the General Assembly in 1977 of the Declaration against Apartheid in Sports set the stage for the active involvement of the United Nations in the international campaign against apartheid sports. These efforts culminated in the adoption of the International Convention against Apartheid in Sports in December 1985. The Convention represents a very delicate balance between recognition of the fact that the total isolation of the apartheid régime and its collaborators from international sporting events could make a significant contribution towards the dismantling of the system of apartheid, and the

(Mr. Maycock, Rapporteur, Commission against Apartheid in Sports)

realization that it would be counter-productive if the boycott itself were to lead to disruption of international sports.

The Convention envisages continuation of the very close collaboration between the United Nations, international sports federations and the liberation movements and other groups working for freedom for the overwhelming majority of the South African population. It should come as no surprise, therefore, that representatives of several of those bodies and organizations took part in the second meeting of the Commission.

Freedom fighters and the enlightened sporting public are at one in the view that South Africa should not be permitted to maintain or resume legitimate sporting contacts with the international community until and unless apartheid is totally eradicated and a free, non-racial and democratic society is established in that country. The non-racial sporting organizations in South Africa have reaffirmed the principle that there can be no normal sports in an abnormal society.

In the face of gratuitous advice from seemingly well-meaning do-gooders to the effect that the sports boycott would have an adverse effect on the black majority, the non-racial sporting organizations, as well as the liberation movements of South Africa, have always advocated the isolation of apartheid sports and called for adherence to the principles contained in the International Convention against Apartheid in Sports.

(Mr. Maycock, Rapporteur, Commission against Apartheid in Sports)

So far the International Convention, which was adopted by the General Assembly, has been acceded to or ratified by 49 States and signed by 32. I should like to take this opportunity to reiterate the appeals of the Assembly to the States that have signed but not ratified the Convention to do so as soon as possible, and to other States to accede to it.

The report of the Commission consists of five chapters and three annexes.

The introduction summarizes the proceedings of the second session and records a number of activities undertaken by the Chairman between sessions of the Commission. The Commission was particularly pleased to have benefited from the presence and participation of observers representing the International Olympic Committee (IOC), other international sporting organizations and non-racial sports organizations in South Africa.

Chapter II of the report summarizes the Commission's consideration of developments relating to apartheid sports and the effectiveness of the international boycott.

In Chapter III of the report the Commission reaffirmed the importance of its co-operation with the Special Committee against Apartheid.

Chapter IV of the report deals with the question of the reports of the States parties.

Paragraph 21 of Chapter V records the Commission's decision to establish a sub-commission to undertake preliminary consideration of reports. The intention is to assist States parties by requesting additional information or by providing guidance where necessary and also to facilitate the final consideration of reports by the Commission.

(Mr. Maycock, Rapporteur, Commission against Apartheid in Sports)

I should like to take this opportunity to remind the States parties that the submission of reports on the implementation of the provisions of the Convention in accordance with article 12, paragraph 1, and in the light of the guidelines set by the Commission is an essential obligation and should be fulfilled.

In Chapter V, the report contains a number of other recommendations concerning material support and technical assistance to be provided to South African non-racial sports organizations and athletes sponsored by them. The Commission also expresses appreciation for the efforts of the International Olympic Committee to strengthen the structural, administrative and other organizational aspects of black sports organizations in South Africa, and appeals to Governments and international, regional and national sporting bodies as well as other governing bodies and players' associations to support those efforts.

The Commission once again recommends that the General Assembly urge all those States that have signed the Convention but have not ratified it to do so, and those that have not signed it to accede to it. The report also calls for the sports boycott of South Africa to be maintained until it has been clearly established that profound and irreversible changes have taken place in that country. This strategy is adopted in the light of the relevant provision of the Declaration on Apartheid and its Destructive Consequences in Southern Africa which was unanimously adopted by the General Assembly at its sixteenth special session last December.

Finally, I have the honour to request the General Assembly to take note of the report and the recommendations of the Commission and to request the Secretary-General to continue to provide services for the Commission.

Mr. PHOOFOLO (Lesotho): The world at large rejoiced - even with some disbelief - as one of the greatest symbols of the cold war crumbled in Western Europe. The coming down of the Berlin Wall was no coincidence of history but a

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result of people's determination to remove artificial boundaries which were in contradiction with the cause of international peace and security. The tremors caused by the crumbling of the Berlin Wall, as measured by the political seismoscope, were felt as far afield as southern Africa, as represented by the historic consensus Declaration on Apartheid and its Destructive Consequences in Southern Africa adopted by the Assembly in December last year. The message of the consensus Declaration was loud and very clear and demonstrated the resolve of this body to see to the dismantling of apartheid. The signal was that a new post-apartheid South Africa was a must if the peace and security of the region were to be realized and genuinely safeguarded.

When they hear about these tremors being felt far from southern Africa, all people of conscience and moral principles are astounded at the fate of the consensus Declaration. Apartheid is still firmly in place; it has not yet been dismantled. A united, democratic, non-racial, post-apartheid South Africa has not yet been delivered; only the initial process towards delivery and dismantlement is in place.

It is an indisputable fact that President F. W. de Klerk is commendably seen to be endeavouring to steer South Africa away from apartheid policies. The 2 February 1990 presidential statement by Mr. De Klerk was indeed historic and momentous, and since that world-acclaimed statement the first few encouraging steps have been taken in the direction of meeting the very pre-conditions of the consensus Declaration. But to say that apartheid is no more and to argue vehemently that the post-apartheid, democratic and non-racial South Africa has been born and baptized into the community of nations is not only premature and deceptive but very misleading.

Yes indeed, Nelson Mandela has been freed from prison, along with a few political prisoners. The exiles are still out of the country and, above all, the

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pillars of apartheid are still in place. I shall mention just a few: the Population Registration Act, the Group Areas Act, the 1913 and 1936 Land Acts and the Internal Security Act. These Acts are still to be addressed and are still to be the subject of white parliamentary debates and of a whites-only referendum, whose outcome still has to be awaited.

The sophistication of the apartheid machinery and the still-existing plethora of essentially discriminatory laws should never be underestimated - not to speak of the political matrix of South Africa as a result of more than four decades of apartheid indoctrination. It is thus imperative to keep that impressive array of peaceful arsenals that induced apartheid to yield to the sober sense of humanity lest it should rear its ugly head again, and more viciously, at the next political turn.

Let it be very clear: notwithstanding murmurs of possibly calculated misinformation from certain quarters the indomitable spirit of the vast majority of the black people, coupled with the new enlightened forces of the emerging vast majority of the white people, shall prevail as they all steadily and surely advance towards a new post-apartheid South Africa, still to be negotiated. The capability is there amongst all South Africans, intellectually, physically and morally, to rise to the occasion.

Admittedly, there have indeed been positive and appreciable developments in South Africa. But the partial, trickling release of political prisoners, including Nelson Mandela, and the unbanning of political organizations are not an end in themselves - as if apartheid were now dead and buried. The current report of the Secretary-General, of 16 September 1990, makes this equally valid observation:

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"The political process towards dismantling the apartheid system is yet at an early stage and difficulties are still caused by the continuance of apartheid structures, questionable police practices, repressive laws and politically related violence. Nor can the fear and anxiety which accompany the fundamental transformation of a society be underestimated".

(A/45/1, pp. 4 and 5)

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Those who are truly honest and realistic in following the events in South Africa since the consensus Declaration was adopted will recall that it was the Constitutional Development Minister of South Africa, Mr. Gerrit Viljoen, who, in his public statement of 11 October 1990, expressed confidence that real talks on the country's future would only start in the new year, as he envisioned the country being governed in the "near future" by a "powerful, new multi-racial political alliance into which the national party would be absorbed" as they endeavour to leave minority politics behind. The stage of negotiations has still to be reached in the still ongoing process of removing obstacles and hurdles in the path of negotiations of post-apartheid South Africa.

Equally it should not be forgotten that the blacks have steadfastly continued to say South Africa belongs to all who live in it - black and white. Through their internationally respected leader, Nelson Mandela, way back in 1953, the blacks said

> "We are convinced that there are thousands of honest democrats among the white population who are prepared to take a firm and courageous stand for unconditional equality for the complete renunciation of 'white supremacy'. To them we extend the hand of sincere friendship and brotherly alliance."

The blacks went further, observing and warning that "no true alliance can be built on the shifting sands of evasions, illusions and opportunism".

It is that very sense of realism, maturity, mutual respect and far-sightedness that still has to be engendered, encouraged and supported to ensure that positive initiatives crystallize towards genuine elimination of apartheid through dialogue.

The international community was encouraged by the Cape Town and Pretoria meetings between the African National Congress of South Africa (ANC) and Government leaders this year, which both parties have viewed as constructive. The talks about

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talks are aimed at setting the stage, yet to be reached, for negotiations that hopefully will see the demise of apartheid and the emergence of a united, non-racial democratic South Africa when that hour arrives.

The response of the Pan Africanist Congress of Azania (PAC) to an invitation to participate in the ongoing process has been noted. It is our belief that following democratic consultations within its internal structures, PAC will continue to place the best interests of South Africa at the top of the agenda as it pronounces itself on the invitation at its party congress scheduled for this week-end.

The Mbabane undertaking by PAC on 24 November to join forces with the ANC in working for a multi-racial democracy in South Africa augurs well for the creation of a peaceful atmosphere leading to negotiations.

The recent refusal to allow the external leadership of PAC to attend the funeral of their late President, Zephania Mothopeng, was indeed regrettable, to say the least. It is indeed hoped that permission will be granted to the external leadership of the PAC to participate in their party congress scheduled for this week-end, which will decide on PAC's possible participation in the ongoing process towards negotiations. Otherwise, the unbanning of PAC will be seen to be void.

We all noted the eventual lifting of the state of emergency in Natal on 18 October, which is helpful to the creation of the climate essential for peace and free political activity as part of a process necessary for the removal of obstacles from the path towards negotiations.

However, the world is still focusing on the unconditional return of 20,000 to 30,000 estimated political exiles - we say they should not be made to apply for re-entry visas to return to their homeland as though they were foreigners; the release of all political prisoners and detainees; the repeal of all discriminatory

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and repressive laws; the progressive ending of the problem of orphans of the streets and railways brought about by apartheid-related violence, which should be decisively brought to an end; and the production of a categoric, indicative schedule, leading to 1994, which would assist in allaying the fears and suspicions of all interested parties.

As we march together towards the dismantling of apartheid, the stage has yet to be reached of ensuring that black and white fellow South Africans will stop being suspicious of each other's motives and whites will stop fearing blacks. It is a matter of common knowledge that apartheid thrives on enmity and fear as it terrorizes both its victims and masters.

It continues to be the responsibility of this body to ensure that the struggle waged against apartheid is between those who believe in freedom, justice, peace and equality and those who do not, and not a struggle of black against white or vice-versa.

It would be immoral, politically irresponsible and unacceptable to attempt to betray the principles and purposes of the consensus Declaration.

Notwithstanding the economic endowments of South Africa, it should be clear to the likely betrayers and Pharisees that empirical evidence is there to show that once the drums of freedom are playing they cannot easily be stopped, until the declared goal is achieved.

We reiterate the position we took at the resumed forty-fourth session of the General Assembly on this subject: that the God-given economic endowments of the region should not be the preoccupation of any country until positive attitudes are displayed across the entire political spectrum of South Africa.*

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* The President returned to the Chair.

(Mr. Phoofolo, Lesotho)

Only meaningful and genuine negotiations, yet to take place, will determine the profoundness and irreversibility of change that has yet to be seen by the honest and realistic peoples of reason and conscience. A distinction has to be made between the birth pangs leading to final delivery and the final delivery of a product: a non-racial, united, democratic post-apartheid South Africa whose resources should be spared unscrupulous exploitation by those with large economic appetites who, by their actions and utterances, may be indifferent to the cause of freedom, justice, peace, equality and liberty.

The Mandela-De Klerk current political axis deserves commendation and encouragement. Hence we call upon the order of the day in South Africa to continue in earnest to create conducive conditions for all parties involved to be able to exercise their inalienable rights with full guarantees of their basic human rights.

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It would be not only misleading but malicious at this stage to say that apartheid was dead. Apartheid has been and still is the crux of the problem: hence the moves - by all South Africans who cherish the ideals of democracy and good governance for all South Africans, irrespective of race, colour, religious belief or station in life - towards negotiating the elimination of apartheid.

As we take the last steps towards a united, non-racial democratic South Africa, which happens to be predominantly and fundamentally Christian in religious outlook, let us be guided by the biblical teaching: How blest are those who hunger and thirst to see right prevail, for they shall be satisfied. Pursuant to this biblical teaching, and as we lend our ever supportive hand of assistance and co-operation to all those who have always stood firm against the injustices of apartheid, we call on this coalition of nations to move steadfastly towards the attainment of that satisfaction by continuing to be identified and counted with all those stalwarts who have been and still are fearlessly and gallantly fighting the last battle of the long war towards the elimination of apartheid.

We look forward to the victory of all the enlightened leadership of South Africa, supported by this coalition of nations, in creating a new, genuinely democratic post-apartheid South Africa.

Mr. SHUKLA (India): Mr. President, as this is my first opportunity to address the forty-fifth session of the General Assembly, I should like to begin by extending my personal greetings to you. You have guided the deliberations of this body with skill and patience. I wish you success in your efforts. It would seem only appropriate that my first address here should deal with the situation in South Africa, an issue to which India has always attached the utmost importance.

I should like at this point to take this opportunity to convey my delegation's appreciation for the valuable contributions made by the Special Committee against Apartheid, with the diligent support of the Centre against Apartheid, to the

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international struggle against the unacceptable system of apartheid. In December last year, the Assembly adopted a historic Declaration on Apartheid and its Destructive Consequences in Southern Africa. The Declaration encouraged the people of South Africa in their efforts to bring about a peaceful transition in their country through the eradication of apartheid and the establishment of a non-racial democratic society. It set out the conditions necessary for the creation of a climate for negotiations and further outlined the guidelines for negotiations as well as the fundamental principles on which to base the constitutional order of the new South Africa. The Declaration also prescribed a programme of work and called for scrupulous adherence to it in a true spirit of consensus. The significance of the Declaration lies in the fact that it was adopted by consensus. It was the first time that the international community had co-operated in unanimously issuing a substantive statement on the issue of apartheid. It sent a clear signal to Pretoria that the need to eradicate apartheid was an internationally accepted condition.

Much has changed world wide during the last year. The impulses of co-operation are gradually overpowering the exigencies of confrontation. Barriers between nations are coming down. Should not, then, barriers between peoples such as apartheid erects also be dismantled? I believe that this is in fact what should now underlie the renewed international consensus against apartheid that gave us the Declaration of last December.

The Movement of Non-Aligned Countries has been in the forefront of the struggle against apartheid. The Action for Resisting Invasion, Colonialism and Apartheid (AFRICA) Fund set up by the Movement was a concrete act taken with a view to providing assistance to those who were bearing the brunt of apartheid. We are confident that the Movement will continue to express its solidarity with the oppressed until the apartheid system is dismantled and that this solidarity will be

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reinforced by the international community through adherence to the Programme of Action contained in the consensus Declaration on Apartheid.

The South African Government, perhaps feeling the winds of change and realizing that apartheid is an anachronism, has in the last year taken some steps in the right direction. These include the release of Mr. Nelson Mandela and other measures. We welcome these developments. The progress that we are witnessing is a direct consequence of the growing resistance of the people of South Africa, as well as of international pressures, which have brought the ruling party in Pretoria to the realization that the system of apartheid can no longer be sustained and that real, irreversible change is needed to end the country's isolation from the world. It is our hope, as I said earlier, that even if expediency dictates Pretoria's new-found flexibility, it will soon realize the inherent injustices and inequities of the apartheid system and work sincerely to abolish it. It is in this context that India takes note of the declaration by the South African Government of its intention to eradicate apartheid and begin negotiations on a new constitution.

South Africa's actions so far, even if they can be considered significant, meet only some of the conditions set out in the United Nations Declaration. The measures required to be taken by the South African Government for the creation of a climate of meaningful negotiations are yet to be fully implemented. And this is clearly brought out in the annual report of the Special Committee against Apartheid, which rightly concludes that, while a process of change is present in South Africa, much more needs to be done before apartheid is eradicated.

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Of those who believe that the changes that have taken place in South Africa warrant a lenient approach to the issue of sanctions one might ask: what of the thousands of political prisoners who continue to languish in gaols, what of those in detention, including a large number of children?

Despite the removal of the ban on political organizations and the lifting of restriction orders, free political activity is hamstrung by a plethora of restrictive laws which give the ruling authorities wide-ranging powers to curtail freedom of assembly and to prohibit political gatherings. While the state of emergency has been lifted, repressive legislation, such as the Internal Security Act and the Public Safety Act, remains in force and the authorities have no qualms about making use of its provisions. The institutional structures of apartheid, such as the Group Areas Act, the Land Acts, the Population Registration Act, the Constitution Act, which established a racially segregated tricameral Parliament, and the Homeland Citizenship Act, remain intact and continue to divide the nation and prolong the agony of the many for the benefit of the few.

The talks between the South African Government and the African National Congress have produced some good results. It is our sincere hope that all parties will engage in constructive dialogue so that negotiations on a new non-racial constitution may commence as early as possible. However, for the present we cannot but agree with the conclusion of the Secretary-General that the process of change is still at an early stage and that there is a long way ahead.

The South African Government must undertake all necessary measures to facilitate free political discussions and thus enable the people of South Africa to participate in the process of remaking the country. It must also dismantle the remaining pillars of apartheid.

Alongside legislative action, there is a pressing need to address the grave socio-economic inequities caused by the apartheid system. Bridges of mutual trust

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and confidence should be built in place of existing racial prejudices. This, indeed, is the priority task as the country prepares for a peaceful and negotiated transition to modern democracy.

The majority of the people of South Africa have long been committed to peaceful change, and they prefer that approach. Only when the lawful modes of expressing opposition to the apartheid policy were closed did they choose to defy the unjust laws. The decision by the African National Congress (ANC) to suspend all armed action demonstrates once again its determination to proceed towards a peaceful political solution. This gesture is testimony to its vision and forbearance and to its good faith. The South African Government must reciprocate this trust by moving speedily towards a negotiated settlement, as called for in the United Nations Declaration.

The continuing violence in parts of South Africa is a matter for serious concern. According to some estimates, in Natal alone more than 4,000 people had been killed by September this year. In recent months the violence has spread beyond Natal. The primary cause of this prevailing violence is clearly the practices and policies of apartheid pursued by the Government. Apartheid, as we all know, breeds violence. It divides people; it inflicts hatred and cruelty. Indeed, it can be sustained only through suppression and violence. The actions of the security forces, in addition to those of vigilante and extreme right-wing groups, remain largely unchecked.

The pervasive violence has prevented political organizations from rebuilding their structures effectively, and thereby seriously impeded free political activity. Unless checked, the violence could pose a serious threat to the fragile process of change that is under way. It is evident that so far the South

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African Government has done little to end this violence. Indeed, its actions have in many cases served to exacerbate it.

If the Government is sincere in its proclaimed commitment to dismantling apartheid and bringing about peaceful change it must control forces that derive their sustenance from the existing apartheid structures and remain opposed to the current process of change. It must show respect for human life and take urgent measures in fulfilment of its responsibility to stop the killings and to restore normality. It must create a climate of peace, free of violence, so that the people may freely engage in political activity in furtherance of the process of negotiated change.

The people of South Africa have shown remarkable perseverance in the face of heavy odds. Despite the repressive measures of the police and the provocative activities of the vigilante groups, they have not flinched in their struggle for freedom and equality. The challenges they face - not least those from elements desperately trying to subvert the process of change - are manifold. The need of the hour is for the people of South Africa to shun the cycle of violence that has engulfed the country and forge unity - unity of purpose and resolve - to get rid of the apartheid system. All democratic forces should come together to participate in the negotiating process, increase the momentum for peaceful change, and contribute to the making of a future South Africa that truly belongs to all of them. In this context we welcome the recent meeting of rival groups to forge a united front to fight for freedom and equality.

The international community has a special responsibility to ensure that the process that has been set in motion is carried to its logical conclusion. The changes that have taken place are primarily a result of the valiant struggle being waged by the people of South Africa. At the same time these developments

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constitute evidence of the effectiveness of international pressure, of the weight of world public opinion, on the South African Government. There is more to be done, and the momentum so arduously generated must not be allowed to slacken when success is in sight after long years of waiting. Thus, it is imperative that there be continued vigil and caution. There must be no relaxation of international pressure until apartheid is completely eradicated. International support for those in South Africa who stand for peaceful change must not waiver at this crucial juncture.

The United Nations Declaration adopted by consensus last December prescribes that existing measures against South Africa must not be relaxed until there is clear evidence of profound and irreversible change. This consensus must be preserved. The international community must not deviate from this unity, but must continue to act in concert to ensure the eventual - indeed, the early - abolition of apartheid.

(Mr. Shukla, India)

Other aspects of the new South Africa which have emerged also deserve consideration. A large number of political prisoners are, it is to be hoped, to be released in due course. Many South African refugees and political exiles are expected to return to the country. All these persons will need to be settled. The international community should provide all possible assistance to that end, and to enabling previously banned political organizations to establish themselves fully in their country.

India remains fully committed to the just cause of oppressed people in South Africa and, in that spirit, we have continued to provide moral and material support to them in their struggle. I should like to take this opportunity to reaffirm our continued solidarity with the people of South Africa in their quest for the complete elimination of apartheid and the establishment of majority rule on the basis of universal, equal suffrage, under a non-racial voters' roll and by secret ballot, in a united and non-fragmented South Africa.

Earlier this year, we were privileged to receive Mr. Nelson Mandela in India and to confer on him our highest civilian award, the Bharat Ratna, in recognition of his services to humanity and the close ties between the peoples of our two nations. His presence in India symbolized our commitment to the cause of the people of South Africa, a cause that, I trust, will be supported and brought to fruition by the nations of the world acting in concert.

Mr. AUGUSTE (Haiti) (interpretation from French): Never in the history of the United Nations has a political system been the object of so much condemnation. From the very outset, my country has loudly denounced apartheid; it could not be otherwise, as the Haitian experience in the eighteenth century took place in a very similar context. Thus, having broken the hegemony of the crowned heads of Europe in the New World by proclaiming independence on 1 January 1804, Haiti put itself at the service of liberty, human rights and the oppressed.

(Mr. Auguste, Haiti)

Any form of exclusivity harmful to the unity of the species and to human solidarity was repugnant to it, and this was the touchstone for the actions it took. From the profound desire of Jean-Jacques Dessalines, founder of the nation, to rush to the aid of his brothers in chains, to our steadfast commitment now in the United Nations to the victims of apartheid, there has never been any lack of historical continuity. I would be false to that tradition if I did not join all those who have voiced the wish in this Hall that this anachronistic throwback, which degrades mankind, should be consigned to historical outer darkness.

We shall refrain from rehearsing the origins of this long and endless battle, in which barbarism has worn a thousand guises. Still, some landmarks do stick in the mind of those who are shocked by the inhuman ravages of racism: Sharpeville; Soweto - how those sounds resonate away to infinity in space and time. And there are names which rise out of the anonymity of communal graves and refuse to die, names like "Steve Biko".

To say it all in a few words, the black people of South Africa have known death by steel and by fire; their holocaust has reached the highest pitch of horror and is still going on now. Does the repetition of the crime each day make it a commonplace?

The note of consolation will come from the United Nations; the world, which had for a long time turned a blind eye, will finally react. The international community will respond to the spiral of violence with a broadside of resolutions; in opposition to the brute force unleashed against a whole race will stand the force of the law.

A few decisive dates are worth mentioning: the meeting of the Security Council in 1960 which followed the Sharpeville massacre; the establishment of the Special Committee against Apartheid in 1962; the imposition in 1963 of a voluntary arms embargo against South Africa; the tightening of the arms embargo by the

(Mr. Auguste, Haiti)

Security Council in 1970, coupled with the prohibition on all investment and technical assistance and on any other form of economic co-operation with the Pretoria régime; and the recognition by the Security Council in 1972 of the legitimacy of the struggle against apartheid.

Since then the Council and the Assembly have been vying with each other in their ingenuity in preparing measures to isolate South Africa, culminating, in 1981, in the convening of the international conference in Paris in May of that year and in their invoking of Chapter VII of the Charter. After the passage of so many years and so many resolutions, the imposition of sanctions against the racist régime finally became a reality. Apartheid was declared a crime against humanity by the Assembly, and its complete elimination was made a sine qua non for lifting South Africa's excommunication. The screw is tightening, but Pretoria does not let go. There even seemed to be no way round the stubbornness of the supporters of apartheid, which sorely taxed the patience of those who stood by the law and by the Charter.

(Mr. Auguste, Haiti)

In parallel with all these deliberations, consultations and statements reflected in United Nations documents, the courageous people of South Africa, which has always been master of its fate, continues its struggle. Freedom must be won, and the means of achieving it range from demonstrations, strikes, acts of defiance and civil disobedience to armed struggle. This people in arms is rewriting its history at the cost of unprecedented sacrifice, each page being written in the blood of its martyrs. Its courage, perseverance and fierce determination to resist its oppressers have earned it eternal glory.

The list of the committed would be incomplete if no mention were made of the non-governmental organizations, associations and groups of all kinds which, from the four corners of the earth, on university campuses, in temples and churches, denounce Pretoria's racist policy and the collusions and complicities that support it. My delegation has the greatest respect for the intelligent, ingenious and firm initiatives that have been taken to keep the conscience of their respective communities alive to the sins of apartheid.

What can one say about the Special Committee against Apartheid, which has always encouraged and supported their actions? With the Centre against Apartheid, it is the key instrument in the struggle against this scourge. Wherever South African racism is condemned, the Special Committee is present, organizing, sponsoring seminars, conferences and workshops, and thus doing its utmost to help anti-apartheid movements both within and outside of South Africa. It was thanks to its unceasing representations that the boycott of apartheid was strengthened in many areas of human activity, in particular those of culture and sports. Its report (A/45/22), of 21 November 1990, stresses, among other things, the consistent position of the International Olympic Committee that apartheid must be eliminated before South Africa's readmission to the international olympic fold can be considered. The International Cricket Conference takes a similar stand.

(Mr. Auguste, Haiti)

Furthermore, the Declaration adopted at the fourth International Conference against Apartheid in Sports, held in Stockholm from 4 to 6 September 1990, supports the continuance of the boycott until the authentic representatives of the people of South Africa consider that the current process of transition is sufficiently thorough and irreversible and calls formally for the lifting of sanctions.

Is the process of transition as generally referred to when the current situation in South Africa is being considered truly under way? Is it truly irreversible? Only the future will tell. But we have to agree that the skies, which until recently were as sombre as Dante's inferno, are now beginning to clear.

The lifting of the state of emergency and of the prohibition of the African National Congress (ANC), the Pan Africanist Congress of Azania (PAC) and other political organizations ushered in an era of détente that culminated in the release, on 11 February 1990, of the prisoner of prisoners, Nelson Mandela, the supreme incarnation of resistance. The following month Namibia acceded to independence. The atmosphere seems conducive to dialogue and negotiation, to the beginning of a new political era, as envisaged in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, which was adopted in December 1989 by the General Assembly at its sixteenth special session. An agreement was reached on the question of the release of political prisoners, at Grote Schuur from 2 to 6 May 1990, and the Pretoria Minute, of 6 August this year, records, inter alia, a major concession: the suspension of the armed struggle by the ANC.

All this indeed augurs well for the prospects of a negotiated settlement of the African conflict. But the horizon will darken again with the frenzied violence that is exploding in many of the townships, pitting blacks one against the other and giving the police freedom to engage in abusive, partisan repression. While the hand behind this renewed confrontation in black communities cannot be precisely

(Mr. Auguste, Haiti)

identified, there is no doubt that the purpose of the strategy is as old as the world itself: divide and conquer, or weaken a strong adversary in order to gain the upper hand.

This is not mere speculation. The security forces deployed in the turbulent regions have conducted themselves so badly that the South African Government has had to appoint independent commissions to investigate their provocative conduct. The Secretary-General indicates in his report of 27 September 1990 that

> "The Harms Commission is currently investigating accusations that the South African defence force (SADF) has been using death squads against opponents of apartheid within South Africa and outside. The Hiemstra Commission of Inquiry on its part is looking into allegations that the Johannesburg city council has been running a spy network directed at opponents of apartheid." (A/45/550, para. 6)

The report goes on to say that on 1 September 1990 a Commission headed by Justice R. J. Goldstone released its report, which was severely critical of the undisciplined and offensive manner in which the police handled unrest in Sebokeng in March 1990 and of the acts of violence committed more recently in townships east and west of Johannesburg, which left more than 500 dead and hundreds injured.

Even more troubling is the new outbreak of Fascist statements and activities by the South African extreme right, which did not scruple to announce during a demonstration round the Voortrekker monument its intention to form an army of 30,000 men in Pretoria "to protect the property, the women and the children of whites against the blacks". Violence is openly preached and, when necessary, practised. If anyone needs to be convinced of this, clear evidence is to be found in the report of the Special Committee against Apartheid of 21 November 1990, which is very detailed on the subject.

(Mr. Auguste, Haiti)

In addition to these developments, which are, to say the least, worrying and could endanger the process of transition now under way, it is even more disturbing to note that the institutional structures of apartheid have been very little affected by the wind of change. The Population Registration Act, which defines South Africans at birth in terms of race, the Native Land Act, of 1913, which enshrines the principle of territorial segregation and the Group Areas Act, of 1950, by virtue of which strictly racial considerations determine the allocation of areas of residence, education and industrial development by zone - all these "pillars of apartheid" continue, according to the report of the Secretary-General,

"to create havoc in the lives of the black majority of South Africa" (ibid, para. 8).

(Mr. Auguste, Haiti)

In fact, while the Government is releasing prisoners, the continuing existence of discriminatory measures and regulations facilitates new political round-ups and imposes serious limitations to the demonstration of the people's will in black communities. In the final analysis, the socio-political indices do not all show positive signs. In such circumstances the international community must remain vigilant. There can be no relaxation of sanctions, contrary to what has been advocated by some interested parties, which are more concerned in seeing their countries regain their position on the South African markets or to promote more profitable business deals rather than assisting in having human rights and the United Nations Charter prevail.

The application of these principles can in no case be selective, even less can it be adjusted to suit one's interests. Above all, let us not lose sight of the fact that the current slow process of liberalization is the result of vertical and horizontal pressure that has come from the North and the South, the East and the West, the public sector and the private sector.

The convergence of the armed struggle, the domestic revolt, the international mobilization and the policy of sanctions followed by the United Nations has contributed to this process. Taken as a whole, these aspects have had a decisive impact and each one has enhanced the effectiveness of the others. Except for the armed struggle, the neutralization of any of these aspects can but weaken this impact and delay the advent of a democratic, non-racial and united society.

My delegation endorses the recommendations adopted by the Foreign Ministers of the front-line States and the Nordic countries at their third meeting in Oslo on 13 and 14 May 1990, which are contained in the Secretary-General's report (A/45/637), as follows:

(Mr. Auguste, Haiti)

"Continued pressure on the South African Government, including existing economic sanctions, until irreversible and profound changes to eradicate apartheid had taken place; and

"In this respect, also, firm support for the maintenance of an arms embargo against South Africa." (A/45/637, p. 15, para. 9)

It was also recommended that there be a strengthening of the programme for the mobilization of the international community against apartheid, particularly by radio programmes beamed to all countries that require heightened awareness on this question.

The struggle must be waged tirelessly and steadfastly on all fronts until the military-psychological complex of apartheid is completely eliminated.

Mr. OKEYO (Kenya): The international political scene continues to undergo encouraging and positive developments in the search for peaceful solutions to regional and global conflicts. The past few years have witnessed resolutions of previously long-standing disputes and conflicts, and much of this progress has been the result of a renewed optimism and faith in the relevance and the role of the United Nations. This Organization, whose fundamental principle is the maintenance of international peace and security, has consistently strived to demonstrate the superiority of negotiations and mediation over confrontation in the conduct of international relations. The increasing success in global acceptance of this process is in no small measure due to the effective and outstanding leadership of the current Secretary-General of this Organization.

Despite the progress the United Nations has recorded during the last year or so, apartheid still remains a crime against humanity. The pillars on which apartheid was founded are still intact. To quote Mr. Mandela:

(Mr. Okeyo, Kenya)

"It will forever remain an indelible blight on human history that the apartheid crime ever occurred. Future generations will surely ask: what error was made that this system established itself in the wake of the adoption of the Universal Declaration of Human Rights?

"It will forever remain an accusation and a challenge to all men and women of conscience that it took as long as it has before all of us stood up to say enough is enough." (A/44/960, p. 103)

Despite the fact that some political changes have been taking place lately in South Africa, there are many forms of racial discrimination still existing. The apartheid laws and policies are still in force. Racial discrimination and segregation, sanctioned by law, are still widely practised. For example, the Group Areas Act of 1950, which had divided the South Africans into three groups - white, native and coloured - still exists. The Bantu Homeland Citizenship Act of 1970, which makes every black South African, irrespective of actual residence, a citizen of one of the homelands, thereby excluding them from effectively participating in politics and the economy, is still in force. Many basic public facilities, such as schools, housing, bus stops, transport, and many others, continue to be segregated despite cosmetic changes that have been put forward by the racist régime. The majority of black South Africans are still deprived of their voting rights. It is therefore quite clear that the apartheid system still remains in place.

The conclusion from these observations seems clear to us: nothing that has happened in South Africa calls for a revision of the positions that this Organization has taken in its struggle against apartheid in the past.

(Mr. Okeyo, Kenya)

The Kenya delegation, therefore, strongly urges that there should be no relaxation of existing measures. The sanctions that have been imposed by the United Nations and by individual Governments should remain in place. The United Nations should do everything in its power to maintain the unity it achieved when it adopted in a special session the Declaration on South Africa last December.*

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* Mr. Silovic (Yugoslavia), Vice-President, took the Chair.

(Mr. Okeyo, Kenya)

This remains Kenya's position, as recently stated by President Daniel arap Moi when he said categorically that Kenya would not lift economic sanctions against South Africa until the international community had agreed to do so.

The odious policies of apartheid are the main source of the ongoing conflict in South Africa. Apartheid poses a serious threat to regional and international peace and security. Beginning in 1986 some small reforms have occurred, in an atmosphere of continuing violence and repression. For example, the Pass Laws have been abolished; Nelson Mandela and a few political detainees have been freed from gaol; political parties have been legalized and the white régime has agreed to negotiate with the African National Congress (ANC) about changes. None the less, these changes fall far short of the expectations of the majority in South Africa, who have suffered severely from the atrocities of apartheid in the past.

Changes must be speeded up; the Government of South Africa must move fast; tomorrow may be too late. The people of South Africa yearn for change, for democratic change through which they can realize their potential. They also yearn for the enjoyment of their human rights, their dignity, their self-respect, their integrity and the right to choose their own destiny.

My delegation believes that it would be premature to relax sanctions at this stage, as that would send the wrong signals and abort the process towards negotiations, which has barely commenced. As stated in the Harare Declaration, sanctions and other pressures against the apartheid régime must be maintained until change is clearly and irreversibly secured and is of a non-racial character. A united and democratic society would then be established in South Africa.

(Mr. Okeyo, Kenya)

It is, however, unfortunate that the process towards dismantling the system of apartheid seems to be threatened by an upsurge of violence between the rival black organizations in South Africa. This state of affairs can only divert attention from the main struggle against a common enemy. The violence that has been ravaging the lives of black people in the townships must be dealt with by a black leadership that is united in purpose and determined in its commitment to the realization of a the new South Africa that we all seek. The new South Africa cannot be brought about by the spilling of pools of innocent blood by the crude weapons of tribalism, political factionalism and thuggery. My delegation hails the efforts being made to settle these problems. Kenya would like to commend those behind these efforts and urge them to intensify their efforts. Kenya also welcomes the recent lifting of the state of emergency in the Province of Natal. This move will go a long way in complementing efforts to resolve the intercommunal fighting that has exacerbated the situation in that country.

Before I conclude my statement in this debate, my delegation wishes to reiterate the following: first, only sanctions will continue to provide the catalyst and the necessary impetus for further negotiations on South Africa's future; secondly, the Government of South Africa must immediately repeal such acts as the Population Registration Act, the Land Act, the Group Areas Act and the Bantu Education Act, the tricameral parliamentary system and other discriminatory measures in effect in South Africa; thirdly, all progressive and democratic forces in South Africa must act urgently to put an end to the violence that threatens to derail the campaign for the total elimination of apartheid; and, fourthly, by eradicating apartheid white South Africa will, in fact, be making its own future secure in the democratic nation that South Africa must become.

Mr. YU Mengjia (China) (interpretation from Chinese): For many years the question of the apartheid policy of the Government of South Africa has been a major item on the agenda of the General Assembly. This year the deliberations on this agenda item are taking place in a new situation.

First, since the last session of the General Assembly the situation in southern Africa has undergone positive changes. The Namibian people, after a protracted struggle, have finally won their independence, and Namibia has become a Member State of the United Nations This is a historic event; it has exerted and will continue to exert positive effects on peace and stability in Africa.

Secondly, at its special session last year the General Assembly adopted by consensus the Declaration on Apartheid and its Destructive Consequences in Southern Africa, which provided the principles, the programme of action and the guidelines for the process of negotiations to be followed in achieving a political settlement of the South African question. On 1 July 1990 the Secretary-General submitted a report on the implementation of the Declaration. In September the General Assembly adopted by consensus a resolution on the implementation of the Declaration and called for the immediate implementation of all its provisions. All this will play an important role in the settlement of the South African question.

The Chinese delegation attaches importance to the General Assembly's deliberations on this agenda item. In September this year the Chinese delegation made a statement at the resumed forty-fourth session of the General Assembly on the implementation of the Declaration on apartheid in South Africa, adopted last year. Today I should like to state our position once again.*

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* The President returned to the Chair.

(Mr. Yu Mengjia, China)

Policies of apartheid, long pursued by the South African Government, have brought untold suffering to the broad masses of black people in South Africa and have been strongly condemned and opposed by the international community. In order to dismantle the apartheid system, the South African people have waged unswerving struggles, and the United Nations has also made important contributions. Since the last session of the General Assembly, the South African authorities, compelled by domestic and external pressures, have adopted a number of positive measures at home. We welcome this. We hope that such changes in South Africa will lead to the final elimination of the apartheid system. In the words of the Declaration adopted by the General Assembly last year:

> "We would therefore encourage the people of South Africa, as part of their legitimate struggle, to join together to negotiate an end to the apartheid system and agree on all the measures that are necessary to transform their country into a non-racial democracy. We support the position held by the majority of the people of South Africa that these objectives, and not the amendment or reform of the apartheid system, should be the goals of the negotiations." (resolution S-16/1, para. 4)

To attain the foregoing goals, we still need to accomplish arduous tasks and make great efforts. The South African authorities must abolish the apartheid system through political negotiations and extirpate such grave ills as the turbulence and social injustice engendered by the prolonged existence of the apartheid system.

The key to settling the issues of South Africa and southern Africa lies in the thorough elimination of the apartheid system and the founding of a new, unified, democratic and equal South Africa. Only in that way can peace and stability in South Africa and southern Africa be realized. At present, though some positive developments have taken place in South Africa, there have been no fundamental changes. As the Secretary-General pointed out in the introductory statement on his

(Mr. Yu Mengjia, China)

report, the South African authorities still need to take other substantial measures. Under such circumstances, the international community should maintain pressure on the South African authorities, give powerful support to the South African people in their struggle against the apartheid system and urge the South African authorities to fulfil their promises in real earnest and take practical actions as soon as possible to eliminate the apartheid system.

The resolution adopted by the General Assembly in September this year called upon the international community not to relax existing measures aimed at encouraging the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes. The international community should continue to strive for the attainment of such profound and irreversible changes and for the final eradication of the apartheid system.

China has consistently paid close attention to the development and changes in southern Africa; it has always opposed and condemned the South African Government's apartheid system, and supported the South African people in their just struggle. Whether in the United Nations or in other world organizations, China has steadfastly upheld justice, defended the fundamental interests of the broad masses of black people in South Africa and supported the correct proposals of African countries for the settlement of the South African question. We laud the African National Congress, the Pan Africanist Congress and other anti-apartheid organizations in South Africa for their combatant efforts. We appreciate the continued endeavours of African countries and, in particular, of African front-line countries to settle the South African question. Under the current changing international situation, China will, as always, continue to support unswervingly the South African people in their struggle for the elimination of the apartheid system.

Mr. ERDENECHULUUN (Mongolia): A year has elapsed since the adoption by the sixteenth special session of the General Assembly of the historic Declaration on Apartheid and its Destructive Consequences in Southern Africa, and we are required to take stock of the achievements and outline further measures to give an impetus to the efforts of the international community in the fight against this inhumane policy and practice.

The consensus Declaration clearly expressed the firm determination of the international community to ensure an early end to the system of apartheid through peaceful means. This represents a new phenomenon influenced by the historic changes in the world situation, and it is destined to make its own contribution towards moving to a new era.

The Declaration underlined the fundamental conditions that are necessary to create a climate conducive to the peaceful eradication of apartheid and of South Africa's transition to a peaceful, democratic and non-racial society. To that end the Declaration called on the South African Government to take a number of specific measures, inter alia releasing all political prisoners, lifting all the bans and restrictions on proscribed and restricted organizations, ceasing all political trials and executions, ending the state of emergency and, last but not least, repealing all repressive legislation. Those measures are seen as a necessary prerequisite to commencing negotiations between the Government and the forces representing the democratic and determined will of the people of South Africa, in particular the African National Congress.

Over the past year a good number of important developments have taken place in southern and South Africa. The refreshing winds of great change have very fortunately not by-passed that region. Namibia has gained its independence. Thus the last hideous spot of colonialism has been wiped from the soil of Africa. We are confident that the efforts of the Government and people of Namibia in building

(Mr. Erdenechuluun, Mongolia)

a free and democratic society will have a significant impact and will enhance the fight to eradicate the system of apartheid in South Africa.

In South Africa itself encouraging developments and changes, which would have been unthinkable a few years ago, are under way. In this respect, we welcome and attach great importance to the talks that have begun between the African National Congress and the South African Government. We believe that those talks will help create a good starting ground and, most importantly, an atmosphere of credibility and confidence necessary for meaningful and, as we hope, fruitful negotiations. Therefore we share the view that the talks represent a stepping stone paving the way to the peaceful eradication of the apartheid system.

We also commend the encouraging measures taken by the South African Government of President De Klerk which contribute towards the process of negotiations on the political future of South Africa. The ban on the African National Congress and other political organizations has been lifted and many political prisoners have been released, including Nelson Mandela, the great son of Africa, whom we had the privilege of welcoming here in this Hall last June.

(Mr. Erdenechuluun, Mongolia)

My delegation endorses the view that the positive process in South Africa is at a nascent and fragile stage and it encounters many difficulties and challenges. We wish to point out that the measures taken by the South African Government do not go deep enough to loosen the shackles of apartheid which are still in place. The barriers to the total dismantling of apartheid remain instilled in and sanctified by discriminatory and repressive laws, rules and regulations.

In the light of this, it is clear that much remains to be done to implement fully the conditions laid down in the Declaration of December 1989. Here I wish to refer to the Secretary-General s report to the General Assembly at its resumed forty-fourth session, in which he states that out of five measures required of the South African Government by the Declaration only one relating to the lifting of the ban on political parties and movements has been implemented in full.

Regrettably, the situation seems not to have changed much since that time. To cite an example, the South African authorities continue to block the return of all political prisoners and exiles to South Africa and hinder their participation in the political activities of the country. It is a serious case which shows that the South African authorities are still reluctant and are still procrastinating in regard to strengthening the emerging process and making it definitive and irreversible. Political activities have not yet become fully free, and acute social and economic problems affecting the black population have not yet been addressed in earnest.

In a word, we are still far from implementation of the basic objectives of the Declaration, including the guidelines in its paragraph 8 concerning the mechanisms for drafting a new constitution, let alone the elaboration of the principles of such an instrument. Here we share the concern of the international community and our African friends in particular.

(Mr. Erdenechuluun, Mongolia)

The Mongolian people shares the alarm and anxiety of the international community at the incidence of violence in black townships in South Africa. This unfortunate development hinders the reform process and serves only the objectives of those forces that are bent on disrupting it.

My delegation assails the reported furtive involvement of South African security forces in instigating the unrest. In this connection we urge the South African authorities to adopt, immediately, effective measures to end the bloody rampages and ensure the impartial behaviour of the police and security forces. On the other hand, I humbly submit that mutual restraint, accommodation, solidarity and the co-operation of all genuine anti-apartheid and democratic movements of South Africa are destined to become the core of endeavours to build a non-racial, peaceful, united and democratic society in the country.

The world-wide sanctions against the apartheid régime have indeed been instrumental in making it responsive, at long last, to the demands of the international community. Therefore my delegation fully shares the view that, at a time when the process of reforms is only incipient, it is too early to ease or lift the sanctions imposed on the apartheid régime. From the provisions of the Declaration as well as other documents on apartheid adopted by the General Assembly and the Security Council it is clear what South Africa must do in order for sanctions to be terminated.

As we have emphasized earlier, a great deal has to be done to ensure the process towards dismantling before apartheid becomes irreversible and effective. In the light of this fact, my delegation believes that sanctions must be maintained until the provisions of the Declaration are implemented fully and in earnest. In this connection we endorse the recommendations contained in the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa (A/45/43).

(Mr. Erdenechuluun, Mongolia)

In conclusion, I wish to pay a warm tribute to the Special Committee against Apartheid for its consistent efforts for, and contribution to, mobilizing the international community in support of the struggle of the South African people against apartheid. My delegation highly commends the work done by the Committee and its bureau led by Ambassador Ibrahim A. Gambari of Nigeria, and his predecessor, Mr. Joseph Garba, who played an outstanding role in the elaboration and adoption of the Declaration by the General Assembly at its sixteenth special session. The implementation of the Declaration is becoming the core of the Committee's activity.

Mr. SILOVIC (Yugoslavia): The policy of apartheid of the Government of South Africa and the crisis in southern Africa generated by this policy have been among the priority political themes of the General Assembly and of the United Nations as a whole for many decades. All along, the world Organization has been actively involved in the efforts to eliminate apartheid, the institutionalized system of racial discrimination, that is at moral odds with every value and principle of modern civilization.

Today, as we are discussing this problem again, we are doing so in a different international environment. International relations have gone through profound transformations and the winds of change have swept across southern Africa as well. Namibia has become independent and the process of change in South Africa itself has begun to erode Pretoria's intransigence and its stubborn embrace of apartheid.

The message of these developments has not been lost on the United Nations either. Perhaps more than ever before, our Organization and the entire international community are resolved in their determination to bring about an end to apartheid. This broad international consensus is reflected in the Declaration adopted at the last special session of the United Nations General Assembly, on apartheid.

(Mr. Silovic, Yugoslavia)

This Declaration is of exceptional importance for non-aligned countries, whose Movement my country currently chairs. It is based on the Harare Declaration of the Organization of African Unity (OAU), reaffirmed by the Movement of Non-Aligned Countries at its Ninth summit Conference in Belgrade; it provides a realistic and constructive basis for the overcoming of the difficult problems that beset South Africa and sets forth the guidelines for a democratic transformation of South African society and for the realization of the inalienable right of the oppressed majority population to political equality and to life in dignity and peace. The significance of its implementation is therefore enormous and self-evident.

Since the adoption of the Declaration, important processes have taken root in South Africa. The African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC) and other anti-apartheid organizations have been legalized. A number of freedom fighters - and the legendary Nelson Mandela, whom we had the honour to welcome in this Hall, amongst them - have been released from jail. The South African Government and the ANC have established contacts and begun dialogue that will, we trust, enable them to create conditions for the commencement of substantial negotiations on a constitutional transformation of South Africa. In that context of particular importance have been the meetings between Nelson Mandela and President F. W. de Klerk. The state of emergency has been lifted too.

(Mr. Silovic, Yugoslavia)

Although these developments have not inaugurated outright change, they are very important and come as welcome harbingers of hope. These positive steps, however, have been marred by an explosion of violence, and innocent civilians continue to lose their lives. These tragic events have thrown into sharp relief the gravity of the crisis inherent in apartheid. Partial measures and half-hearted attempts to reform this nefarious system have proved an inappropriate response to the accumulated problems of South African society that will not be adequately addressed until apartheid is fully dismantled.

And dismantled apartheid must be, and soon. Its pillars, although eroded, continue to hold firm. The system has hardly been cracked and its shameful structure of racial compartmentalization is still very much in place and, apart from lip-service to proclaimed principles, the Government in Pretoria does not seem very agile or eager to introduce effective change. The repreentatives of the majority population, and the liberation and other organizations, have, however, demonstrated on many occasions their political maturity and readiness to make a constructive contribution, and the Government in Pretoria must follow suit. There is no doubt that only a radical change in the system and the building of a democratic society of full equality for all South Africans will open up prospects for eliminating the burdensome legacy of apartheid.

South Africa has arrived at an historical crossroads. A comprehensive transformation of its society must be carried out without further delay. International consensus on the road to achieving this goal is spelled out in the December 1989 Declaration of the General Assembly and was reaffirmed on the eve of this session as its implementation was being considered. The United Nations has special responsibility to see to it that this process is completed.

Through its involvement in the struggle against apartheid, the United Nations has galvanized world public opinion in bringing constructive pressure to bear on

(Mr. Silovic, Yugoslavia)

the minority régime in Pretoria. No effort has been too great and no distance too far to travel to put the message across that this inhuman system is untenable and that it must be eradicated. Yet, the primary role has been played by the struggle of the majority population of South Africa, and it has eventually borne fruit. Change is indeed about to come; yet the international community must not cease to act along the lines that have proved constructive. In doing so, it must strive to maintain consensus, since it is only through co-ordinated action that the goals set forth in the Declaration of the sixteenth special session of the General Assembly can be realized. This would be an important contribution to the further reaffirmation of the role of the United Nations, which has recently been on the ascendant.

The world has gone through unprecedented transformations. Many contradictions bequeathed by a difficult past are being overcome. The persistence of apartheid, however, is telling proof that some problems are very resistant to change. Millions of people in South Africa continue to be denied their basic rights because of the colour of their skin at a time when human rights have become one of the mainstays of the new system of international relations and the yardstick of the acceptability of individual countries and their Governments. This situation must not be allowed to prevail in the current international circumstances and this shameful system of racial discrimination must be done away with once and for all.

The United Nations is duty-bound to see to it that this goal is realized soon. The people of South Africa must be allowed to exercise their inalienable r right to live in a society free of racial discrimination and to join the world community of sovereign nations as a united and democratic country.

Mr. KHANAL (Nepal): The world today is passing through an era of historic transformation as far as international politics are concerned. The lurking dangers of nuclear war are gradually receding; the psychological barrier

(Mr. Khanal, Nepal)

created by the sharp ideological differences between the super-Powers is being slowly dismantled. The emergence of a new atmosphere of global amity, understanding and goodwill is being noticed. The countries that hitherto were adversaries are making efforts to forge new avenues of friendship and meaningful co-operation with the ultimate goal of creating better living conditions for the common man. After decades of cold war and political tension, the countries of Europe are exploring their points of commonality so that an abiding friendship based on mutual benefit can be established. The recent reunification of Germany, which was so painfully separated for decades, is a glaring example of this recent political process.

However, despite all these positive trends in international politics and the global realization that the fundamental rights of the people are of paramount importance in any civilized society, the South African policy of racial discrimination still remains a political anathema of the twentieth century.

For more than four decades now, the United Nations has been preoccupied with mobilizing international support to end the politices of apartheid pursued by the Government of South Africa. During this period several significant measures were adopted to expose and weaken this evil system. Those efforts notwithstanding, the racist régime has continued to follow its policy of oppression. As the repression of the minority régime mounted and miseries multiplied for the majority of the people of South Africa, the international community reached the conclusion that the abhorrent system of apartheid could not be reformed. It had to be eliminated fully and fast.

My delegation will not at this stage go into the atrocities inflicted by the South African régime upon the majority population. Nor do we intend to dwell on the policies of aggression and destabilization of the Pretoria régime against its neighbouring States. These have been well documented in various reports and

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resolutions of the General Assembly. I shall limit myself to expressing the views of my delegation on some of the important recent developments.

With the rapid transformation of international relations, it is only a matter of time before apartheid finally crumbles under its own evil weight. The only question is how that end will come about. The international community clearly hopes that the change will be peaceful. This hope is reflected in the historic Declaration of the sixteenth special session of the General Assembly on apartheid and its destructive consequences in southern Africa. The Declaration laid down in clear terms the steps that the racist régime must take in order to create a climate conducive to negotiations. In keeping with this historic consensus, some positive developments have taken place in South Africa. We note the commitment of President De Klerk to bring about radical changes in South Africa. The release of Nelson Mandela and some other political prisoners, the unbanning of the liberation movements and the lifting of the state of emergency are certainly steps in the right direction. The opening of direct talks with the leadership of the African National Congress of South Africa (ANC) and other anti-apartheid movements has raised hopes even higher.

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In spite of these positive developments, we cannot forget that the conditions laid down in the consensus Declaration adopted at the special session have not all been met. Hundreds of political prisoners continue to languish in prison and a favourable climate for the political exiles to return to their homeland with dignity and a feeling of security has not yet been created. The Internal Security Act and other basic structures of apartheid are still in place.

My delegation finds it extremely disturbing that the right-wing faction of the white minority seems to have an inordinate hold over the Government. How else could one explain the indecisiveness of the Government in carrying out its declared policy of genuine negotiations with the representatives of the majority population? Violence in Natal and in some other areas has increased our doubts about the intentions of the Government. It is the responsibility of the Government to maintain law and order, but the role of the security forces and police in the violence-torn areas has been dubious. If the Government of President De Klerk is sincere about the commitment it has undertaken, it must prove its good intentions by winning the confidence of the majority people.

A unique combination of circumstances exists today for the beginning of a new era in South Africa. Sincere and full implementation of the conditions set out in the Declaration of the sixteenth special session could mark the beginning of the process of peace in South Africa. This is the only way to establish a non-racial democratic society in South Africa. The alternative would be disaster, a tragedy for all South Africans, blacks and whites alike. At a time when there are some hopeful signs, my delegation calls for even greater vigilance on the part of the international community. It must continue to exert all possible pressure to force the minority régime to accept peacefully the change that is inevitable. Determined and co-ordinated implementation of sanctions already in place would not only force the régime to listen to the voice of reason, but also strengthen the determination

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of the majority people, for pressure alone can persuade the racist régime to give up its rigidity. The peaceful transition of South Africa to a non-racial democratic society would inaugurate a new era in South Africa and be a step towards strengthening international peace and security.

In conclusion, I would like to express Nepal's unequivocal support for and solidarity with the people of South Africa in their anti-apartheid struggle. I would also like to avail myself of this opportunity to express our deep appreciation of the great sacrifices made by the front-line States for justice, peace and equality in South Africa.

Mr. HOHENFELLNER (Austria): A year ago we, the Member States of the United Nations, stated that

> "A conjuncture of circumstances exists which, if there is a demonstrable readiness on the part of the South African régime... could create the possibility to end apartheid through negotiations." (resolution S-16/1, p. 4)

Since the adoption of the landmark Declaration on apartheid, significant and positive events have taken place in South Africa, and profound changes appear to be within reach. The total dismantling of the apartheid system, demanded so often from this rostrum, is at last a distinct possibility.

In the course of the past 12 months a number of important measures have been observed, in particular the unbanning of political organizations and movements opposing apartheid, the release of Nelson Mandela and other political prisoners, the repeal of the Separate Amenities Act and the lifting of the state of emergency.

Without underestimating these significant steps in the right direction, the most promising achievement, in our view, lies in the beginning of a dialogue between the Government and the African National Congress (ANC) that is based on their common commitment to a peaceful process of negotiations. The meetings held so far between the ANC and Government delegations have yielded success both on

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matters of substance and in creating a communications structure, for which there is a dire need in a society that has been marked for decades by racial segregation.

Firmly convinced that change has to be brought about by peaceful means, we attach particular importance to the suspension of all armed action by the ANC and recognition of the necessity of a review of security legislation by the Government. Similarly, the agreement with regard to the release of political prisoners and the granting of indemnity constitutes significant progress on a central issue. I express our hope that the current problems in hammering out the details can be overcome soon and that the relevant bureaucratic procedures will be handled expeditiously so that the political prisoners can finally be released and the exiles at last return.

We understand that the return of about 20,000 people constitutes an operation that exceeds the scope of what can be dealt with on a purely private or bilateral basis. The involvement of the United Nations High Commissioner for Refugees (UNHCR) would certainly be a valuable contribution by the United Nations system. Likewise, the reintegration of released political prisoners and exiles deserves the active support of the international community. In our view, the United Nations Trust Fund for South Africa, to which my country is a regular contributor, could play a role in that regard.

This concrete example highlights the fact that a good deal remains to be done. While welcoming the progress achieved so far, we should not underestimate the difficulties that still lie ahead. Although we commend the positive measures taken over the past year, we do not forget for a moment that the so-called pillars of apartheid remain in force. However, we have taken note with interest and expectation of the statements of President De Klerk that the Land Acts and the Group Areas Act will be repealed at the next session of the South African

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Parliament. It is our sincere hope that the Internal Security Act also will be changed in such a way that its repressive and discriminatory provisions are deleted. The Population Registration Act, plainly the pillar of apartheid, will have to give way to a new constitution. We consider it vital for the process of peaceful change that the South African President has publicly accepted the concept of universal suffrage. Only the realization of one man, one vote, can bring democracy to South Africa, and this principle is fundamental to the eradication of apartheid.

Therefore Austria favours an early beginning of negotiations on a new constitution, with the participation of all political forces, in a climate that is conducive to a positive result. While we call on the South African Government to take the remaining necessary measures to create such a climate, we also appeal to those political forces in South Africa which are still hesitant to join in such a broad-based dialogue.

Today we can conclude with satisfaction that the process of transition has started and is at last under way. At this stage, programmes have to be elaborated and initiated to correct the huge social and economic inequalities of the South African society, such as the unbalanced distribution of land. In that context, during the past months the divergence of views on the future economic structures seems to have narrowed somewhat. This issue will be of paramount importance for post-apartheid South Africa, for only an efficient economy can create the necessary growth to improve decisively the social and economic situation of the vast majority. The system of apartheid has been and continues to be a big financial burden on the South African economy. Likewise, the abolition of apartheid and, especially, the creation of fair opportunities for all, as well as the reduction of the tremendous socio-economic backlog, will require extraordinarily large resources, which only a healthy economy can bring about.

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The continuing violence is a matter of the utmost concern, for it brings tragic consequences to individuals and even has the potential to derail the process of change. Austria calls on all parties to spare no effort to address this most dismal phenomenon. It is incumbent on the Government to restore and maintain order and security for all citizens and to see to it that its security forces act in an impartial way. At the same time, the political leaders of the various organizations should exert all their influence to create a climate of trust, peaceful competition and co-operation in eradicating apartheid.

A process of transition is under way in South Africa. Like the Vice-President of the African National Congress, Nelson Mandela, we do not doubt that President De Klerk is a man of integrity. Austria deems it important that the international community encourage, support and work to accelerate the process of change in South Africa. The Member States of the United Nations apply positive and restrictive measures to this end. Austria is among them; it is contributing to various funds and activities in and outside the United Nations framework helping the victims of apartheid. We have not relaxed our sanctions, but we do not see them as an end in themselves. We hope that further progress in South Africa will allow us, preferably sooner rather than later, to see clear evidence of profound and irreversible change in South Africa. We look forward to the realization of a democratic, united and non-racial South Africa.

Apartheid is doomed; its days are numbered.

Mr. ABDUL GHAFFAR (Bahrain) (interpretation from Arabic): The question of apartheid is one of the oldest items before the General Assembly. The apartheid policy pursued by the Government of South Africa has taken a great toll in lives and caused great suffering and economic and political instability in the region of southern Africa and the neighbouring countries.

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In the current climate, which has been created by changes in international relations, the international community is duty-bound, more than any time before, to use all the means at its disposal to bring to an end the system of apartheid and bring about substantial changes in the structure of South Africa's society so that it may rid itself of segregation and racial discrimination and turn into a society in which all its members enjoy equality.

For a long time now, the black majority in southern Africa has suffered injustice, repression and the complete denial of the most basic of human rights. From a sense of responsibility and legitimate concern regarding the continuing policies of apartheid, the Organization of African Unity (OAU) decided to formulate a framework within which a political settlement to that problem may be found. The Harare Declaration on the question of South Africa, which was adopted by the Ad Hoc Committee of the Organization of African Unity on Southern Africa on 21 August 1989, received the unanimous support of the international community through its endorsement at the Belgrade Summit in September 1989. This was followed by the United Nations Declaration on Apartheid and Its Destructive Consequences in Southern Africa (resolution S-16/1), adopted at the sixteenth special session on 14 December 1989. That Declaration, which was adopted by consensus, provides an approach and a practical framework for negotiations between the black majority, under their legitimate and authentic leadership, and the Pretoria régime, to put an end to apartheid by peaceful means.

While we welcome the measures introduced by President De Klerk last February as encouraging indications that the process of dismantling apartheid has begun, there is still a great deal to be done to remove the obstacles to the establishment of a climate conducive to negotiations. Although the measures seem encouraging, they only partially respond to the conditions laid down by the General Assembly in its Declaration of 14 December 1989. They must be followed by more concrete

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action. The international community, which is formally committed to the eradication of apartheid, cannot accept the use of those measures as a pretext to move towards the reduction of international sanctions, because racist laws and a racist régime still exist in South Africa.

From that standpoint, we believe that the agreement reached last August between the African National Congress (ANC) and the Government of South Africa regarding the elimination of all obstacles that impede full negotiations acquires a great deal of importance. This endeavour has been strengthened by the ANC's initiative of starting negotiations and suspending armed struggle. The Pretoria régime must take immediate measures to put an end to violence resulting basically from the continued policies and practices of apartheid and abolish all legislation restricting political activity in order to create a favourable climate for negotiations.

The increasing nuclear and military capabilities of the apartheid régime and its co-operation with Israel in this field must be addressed seriously by the international community. Although there are concerted efforts to reduce and constrain this co-operation and even prevent it, Israel continues to defy, nay ignore, such efforts. It continues to supply the apartheid régime with nuclear technology in exchange for enriched uranium. This co-operation sheds light on the degree and extent of the danger to the security not only of the neighbouring African countries but also of all the countries of Africa and the Middle East region and the grave threats this collaboration poses to regional and international peace and security.

My country has repeatedly expressed its complete opposition to the policy of apartheid pursued by the Government of South Africa. We are convinced that peace

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and security in the region will be established only by the elimination of racist policies and the establishment of a non-racial State whose citizens without exception enjoy equality and justice.

Mr. MLLOJA (Albania): It is a noble human task - indeed, a great responsibility for our Organization - to discuss once again with great concern during this session of the General Assembly the question of the policies of apartheid of the Government of South Africa, especially in these times when positive changes are taking place in international affairs. In that spirit, the Albanian delegation, as in the past, would like to reaffirm its unchanged position of principle on that matter.

First, we affirm our condemnation of the policies of apartheid pursued by the racist régime of South Africa. The apartheid system remains in place and racist repressive laws and police practices continue to be its pillars, violently implemented against the black majority population. The blacks are deprived of everything: their rights, their freedom and even their lives. They live under the institutionalized violence of the régime, and reality testifies to the fact that that régime is still responsible for the deaths of countless numbers of people, the destruction of property, the massive displacement of innocent men, women and children. We denounce that strongly as a scourge and affront to humanity that must be fought against and completely eradicated.

Secondly, once again from this rostrum we reiterate our support for the South African people in its prolonged struggle against the racial discrimination imposed upon it by the racist white minority régime. Reaffirming our support, we express our strong belief that the day will come when the South African people will attain its right to live in a democratic society free from racist laws, where regardless of race and colour all the people will be able to enjoy equal rights.

In pursuance of that stand, the Government of the People's Socialist Republic of Albania takes the opportunity to reiterate its adherence to, and support for, the spirit and letter of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, approved by the General Assembly at its sixteenth

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special session. In conformity with the Declaration, the Albanian people will continue to give its full support in the struggle against apartheid and to make its contribution to the international anti-apartheid campaign. We share the belief expressed in the Declaration that:

> "... as a result of the legitimate struggle of the South African people for the elimination of apartheid, and of international pressure against that system, as well as global efforts to resolve regional conflicts, possibilities exist for further movement towards the resolution of the problems facing the people of South Africa". (resolution S-16/1, annex, sixth paragraph of the preamble)

While we express at this juncture our support for the right of the oppressed people of South Africa to determine its own destiny, we cannot fail to reconfirm our joy at the victory of the Namibian people, which, thanks to a long and heroic struggle against the apartheid racist régime of South Africa, achieved independence and freedom and has taken its rightful place in the community of nations. We sincerely hope and wish that the day is not far when the Azanian people, the fraternal people of neighbouring Namibia, will be able to enjoy the same fruits of victory, its freedom, and take its rightful place among the world community of nations.

The racist régime of South Africa is faced with the intensified struggle of the valiant South African people. That struggle and, above all, the determination of the people to continue it have obliged the racist régime to search for ways to limit the damage caused by it. Those are the aims of the superficial reforms and changes introduced by the racist régime of Pretoria, which, as a matter of fact, have not brought about a change of the fundamental character of apartheid, its racial discrimination.

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Therefore, the Albanian delegation still shares the view of the overwhelming majority of the world community that apartheid cannot be reformed: it must be eradicated, because it is still in place. The black majority in South Africa will enjoy freedom and full rights only when apartheid is abolished, and to that end the international community both within and outside our Organization is duty-bound to exert all the necessary efforts. The case of Namibia and the very important role played by the United Nations and its Secretary-General, Mr. Javier Perez de Cuellar, are clear testimony to the growing confidence in the potential and capacities of our Organization to fully support the people of South Africa in its struggle to free itself from the shackles of the apartheid system.

In pursuance of that objective, the world community should continue unabated its concerted measures towards observing the sanctions and arms embargo against the racist régime of South Africa. Tha Albanian Government, for its part, as in the past, does not maintain any links whatsoever with Pretoria and its racist Government.

In conclusion, we would like once again to affirm our unchanged, strong solidarity with the oppressed people of that country and its national liberation organizations in their long and just struggle. Similarly, we express our solidarity with the front-line States, a solidarity that, indeed, extends to all the African peoples with whom my people and country have held and developed fraternal links. We have supported and continue to support their struggle and the ideal of the freedom and emancipation of the whole of Africa.

The PRESIDENT: In accordance with the decision taken by the General Assembly at its 3rd plenary meeting, held on 21 September 1990, I now call upon the representative of the Pan Africanist Congress of Azania.

Mr. MAKWETHU (Pan Africanist Congress of Azania (PAC)): On behalf of the Pan Africanist Congress of Azania (PAC), the custodian of the genuine aspirations of the oppressed and dispossessed majority in Azania, I should like to congratulate you, Sir, on your unanimous election to the high office of President of the United Nations General Assembly at its forty-fifth session. We are particularly pleased because of your country's principled stand against the inhuman apartheid system and support to the victims of apartheid. We are confident that under your wise guidance the present debate will further strengthen the resolve of the international community to hasten the demise of the universally condemned policies and practices of the racist minority régime in apartheid South Africa.

I should also like to extend our sincere gratitude to your predecessor, General Joseph Garba, for the excellent manner in which he steered the affairs of the Assembly. During his tenure, the issue of apartheid received due and serious consideration by the international community.

(Mr. Makwethu, PAC)

A year ago the General Assembly, meeting in special session, adopted a consensus resolution calling for the total eradication of the apartheid system. It called on the apartheid régime immediately and unconditionally to meet certain basic demands so as to create a climate conducive to negotiations. It also spelled out certain steps that were required to ensure that apartheid was on its way out. In the past year the régime has met some of the pre-conditions. In particular, it unbanned the PAC, the African National Congress of South Africa (ANC) and 34 other organizations, lifted the state of emergency and selectively released some political prisoners. But the reports of the Secretary-General and of the Special Committee against Apartheid ably testify to the fact that in the past year the régime has failed to create the required climate.

Specifically, the minority régime has not unconditionally released all political prisoners. It has not allowed the unconditional return of political exiles. Moreover, it has not removed racist troops from the African townships. Furthermore, arrests and detentions without trial have increased. The notorious Internal Security Act remains in force and is liberally utilized. Violence has escalated dramatically. The report of the South African Institute of Race Relations, just published, reveals that on average 10 persons have been killed daily in 1990. Our own investigation into this escalating violence reveals two causes. First and foremost, the apartheid policies and structures remain the principal cause of violence in our country. Secondly, a tendency among some circles to impose their political hegemony through the use of force and intimidation has also contributed to the escalation of violence.

The apartheid rulers of South Africa want to give the impression that much has changed since De Klerk's speech on 2 February 1990. What are the so-called specific changes and what do they amount to? It is true that the PAC, the ANC and

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some 34 other organizations have been unbanned. What does that unbanning entail in concrete terms? Yes, we can now recruit and organize members. We recruit and organize them to do what they must do because they cannot vote. The régime is opposed to their striking, marching and engaging in any form of struggle. If our organized members do not have the ballot to redeem their oppression and dispossession, they are duty-bound to resort to other effective methods of struggle. Equally, the lifting of the state of emergency does not create a free political climate because of the existence of the plethora of oppressive laws that remain on the apartheid statute book.

The oppressed and dispossessed people of Azania and the international community have consistently demanded the total eradication of the apartheid system. To the oppressed people of Azania, apartheid is concretely manifested in the Population Registration Act, the Land Acts of 1913 and 1936, the Group Areas Act, the Bantu Education Act, the racially constituted tricameral parliamentary system and the bantustans. These represent both the ideology and the practice of apartheid. They all remain intact. As regards these pillars of apartheid, therefore, nothing has changed in the country.

Moreover, the oppressed and dispossessed people of Azania and the international community have consistently called for the establishment of a genuine non-racial, democratic and united country. Since its inception the PAC has said it believes in only one race: the human race. At our inaugural conference in 1959 we called for the granting of individual rights to all those who owe their allegiance to Africa and accept African majority rule. We are for genuine democracy based on the concept of one person, one vote. Has the illegitimate minority racist régime substantially changed its views on these fundamental questions? Instead of accepting the universal principle of genuine non-racialism, the leaders of the

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minority régime are still talking about minority rights. In the context of apartheid South Africa, minority rights mean the preservation of white dominance and privileges. Is apartheid not based on white privileges and white prejudices? The régime rejects the democratic formula of majority rule through the exercise of one person, one vote on a common voters' roll.

What then is the path we should pursue to ensure the early demise of this evil system and replace it with a genuine non-racial democracy where all individuals will enjoy protected rights? The General Assembly's consensus resolution adopted last December should serve as a point of reference. The path we should pursue is that of demanding that the pre-conditions laid down for the régime to meet unconditionally in order to create a climate conducive to negotiation must be unconditionally met. The régime should not be allowed to turn these pre-conditions into negotiating issues.

Once the régime has unconditionally met these pre-conditions - namely the unconditional release of all political prisoners, the unconditional return of all political exiles and the withdrawal of racist troops from the townships - then we can proceed to the next step. The next step, once the required climate has been created, must be to reach an agreed mutual cessation of hostilities as provided for in the Harare and General Assembly consensus resolutions. The Declaration does not demand from us unilateral suspension or renunciation of the legitimate armed struggle, but rather that there should be an agreed mutual cessation of hostilities. The PAC remains committed to that principle.

The world has repeatedly demanded the eradication of apartheid. Apartheid can be neither amended nor reformed. Therefore, apartheid cannot be negotiated. To the PAC, apartheid is non-negotiable. The international community, moreover, has called for the establishment of a genuine non-racial democratic society in a

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unitary South Africa. That means the drawing up of a genuine non-racial constitution. In this regard, the Pan Africanist Congress of Azania has consistently maintained that what has to be negotiated is the new non-racial, democratic constitution. The PAC has put forward a well-thought-out formula to resolve this fundamental question. It has called for the establishment of an constituent assembly elected by all Azanians over the age of 18, voting on a common voters' roll. This elected constituent assembly would be truly representative and would have the mandate to draw up the new non-racial, democratic constitution.

(Mr. Makwethu, PAC)

Mr. President, allcw me, through you, to inform the Assembly that the PAC's call for the establishment of a constituent assembly is widely supported my most political tendencies among the oppressed. The issue is being democratically discussed in all political circles. The PAC intends to convene a Congress of the Oppressed early next year to unite our people around the demand for an elected constituent assembly.

Since its inception the PAC has advocated a principled, united front with all whose opinions run counter to those of the apartheid rulers. We remain committed to that fundamental principle. Following our first National Conference in more than 30 years, which will be held inside apartheid South Africa from 7 to 9 December 1990, we shall vigorously pursue the quest for broad-based, principled unity.

The PAC will hold that National Conference at the end of this week. It is an important Conference. Since our unbanning, we have concentrated on establishing grassroots structures with branches throughout the country. The coming Conference will democratically discuss the coming programme of action and elect a new leadership. The Conference will also pronounce itself on the invitation letter written by the régime to the PAC requesting exploratory talks. The régime, while calling for exploratory talks, has blatantly refused to allow externally based PAC leaders from attending the funeral of PAC President Zephania Mothopeng last month. Such a refusal exposes the true nature of the apartheid rulers and puts their integrity into question. However, we have just been informed that the régime will allow some externally based PAC leaders to attend the Conference, albeit under strict conditions.

The PAC firmly believes that the decisive factor is the internal factor. The external factor is a complementary factor, but a very important complementary

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factor. It was internal resistance, including the armed struggle, international isolation and sanctions, that compelled the régime to adopt a reformist posture. Any relaxation of these measures will only prolong the agony and perpetuate apartheid. The PAC is for intensified sanctions and the total political, economic and cultural isolation of the apartheid régime. In particular, the PAC maintains that the oil and arms embargo must be intensified, foreign loans and investments must be withdrawn and denied to the régime, the campaign for a ban on the purchase of South African gold must be stepped up and the cultural and sporting boycott must be maintained. The PAC views with grave concern invitations extended to the apartheid régime for so-called private visits and other commercial links. The PAC calls upon the international community not only to maintain the present sanctions and isolations but to make a conscious effort to intensify them.

The apartheid régime continues to receive military assistance from certain circles. Zionist Israel is the principal ally. We are not surprised at this unholy alliance, because the Zionists, like their apartheid counterparts, have denied the rightful owners of the country the right of self-determination. We fully support the just struggle of our Palestinian brothers and sisters under the leadership of the Palestine Liberation Organization. We welcome their declaration of the State of Palestine.

We also want warmly to welcome the independence of Namibia. Today, it is a free nation and occupying its rightful place in the Assembly. We wish them well.

In conclusion, allow me to express sincere thanks to all those countries and organizations that extended condolences on the death of our President, Zephania Mothopeng. Their messages encourage us to continue with the struggle along the path chartered by Uncle Zeph.